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CANDY TAKES A Shellacking

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Someone gives you a choice between two items, seemingly identical. Their only difference is that one is dark and dull, the other is bright and shiny. Which one would you choose? A tarnished penny or a gleaming one? The odds favor the latter. Food stylists and advertisers know this well. Look at any magazine spread and see how the careful lighting adds to the appeal of ordinary foods. There is probably no food item that better epitomizes the concept of a 'shiny' food than candy. Think glossy lollipops, satiny Mike and Ikes, gleaming M&M's...

Candy manufacturers value eye appeal and they do get their candy to shine. How do they do it? What do they use to achieve their goal? In the industrial world, it is called *shellac* and in the candy community it is known as *confectioner's glaze*. What is confectioner's glaze? Where does it originate? How is it manufactured? And, more importantly, what is its *kashrus* status?

Confectioner's glaze (or, more accurately, 'lac resin,' or shellac), is a resin that is secreted by a small scale beetle found in India known as *Kerria lacca* (or, more endearingly, the 'lac bug'). During their reproductive development, these miniscule insects the size of an apple seed suck sap from trees for nourishment and secrete a resin that attaches itself to the branches. This lac (or stick) resin, which hardens on contact, is the base ingredient for what is to become the resinous glaze widely used by candy manufacturers.

As one can imagine, in order to produce this resinous glaze as a commercially viable commodity, hundreds of thousands of lac bugs would need to be recruited for its production. In fact, thousands upon thousands of branches containing the exuded lac resin are collected and the encrusted resin harvested and then dissolved in alcohol. The mixture is heated and filtered to remove the natural red dyes, debris and insect parts so that only the resin remains. While still warm and pliable, the resin is stretched into long sheets. After cooling, the shellac is flaked and mixed with denatured alcohol. The finished product referred to in the candy industry as confectioner's glaze is now ready for food applications.

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TERUMOS and MA'ASROS

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INTRODUCTION

Eretz Yisroel has the unique privilege of being the recipient of the *Ribono Shel Olam's* *brochos* throughout the year. Its agricultural industry continues to grow and flourish. Some consumer products imported from Eretz Yisroel, such as Jaffa oranges and grapefruits, are very well known to the American marketplace while other products including clementines, carrots, red peppers, jams, jellies, tomatoes, olives, and pickled products are not as familiar. Finally, there are a host of industrial products like orange oil, lemon oil and parsley that provide a steady supply of raw materials.

Besides all the general consumer *kashrus* concerns regarding ingredients, processing and certification, there are additional *kashrus* requirements that apply to foods grown and produced in Eretz Yisroel. For instance, one must be sure that *terumos* and *ma'asros* have been properly separated before consumption. Furthermore, one needs to ensure that the fruits do not come from trees that violate the conditions for *orla*, *neta revai* or *shmitta*. These are some of the fundamental and critical *mitzvos hatluyos ba'aretz*.¹

WHAT HAS TO BE SEPARATED?

The tithes that are separated during the six year cycle prior to *shmitta* include *Terumos*, *Ma'asros* and *Terumas Ma'aser*.

Terumos (literally, *gifts*) and *ma'asros* (literally, *tithings* or *tenths*) are designated gift portions of grains, fruits and vegetables grown and produced in Eretz Yisroel. *Teruma* and *Terumas Ma'aser* had to be given to the *Kohanim*, and *ma'aser* to the *Levi'im*. *Ma'aser Sheini* had to be brought to *Yerushalayim* for consumption, and *Ma'aser Oni* was given to the poor.

The specifics of each tithe follow:

- **Teruma Gedola** - the portion given to the *Kohen*. Due to the sanctified nature of *terumos*, the *Kohen* could eat *teruma* only in a state of *tahara* (purity). Since today *Kohanim* are in a state

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1. The special *mitzvos* of Eretz Yisroel that our *chachamim* (sages) have instituted and implemented in our days.

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TERUMOS *and* MA'ASROS

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of *tumah*, *teruma* remains uneaten and is to be discarded properly by wrapping the food in plastic before throwing it away. According to *Torah* law, one fulfills his *teruma* obligation with even a small amount of food separation. Our *chachamim* determined that one who separated $\frac{1}{50}$ (or 2%) to the *Kohen* fulfilled his *teruma* obligation.²

- **Ma'aser Rishon** - the first tenth that was separated and given to the *Levi'im*. Since *Ma'aser Rishon* does not carry the same sanctity as *teruma*, it could be eaten by everyone. Even though there is some uncertainty regarding the bona fide lineage of *Levi'im*, we are still obligated to verbally separate the *ma'aser*. If *ma'aser* was never separated, then this food has a status of *tevel*, unseparated produce, which is forbidden to be eaten. Once separated, a *Yisroel* may eat this *ma'aser* if the *Levi* gives it to him.
- **Terumas Ma'aser** - This is from the separated *Ma'aser Rishon* donation; the *Levi* was obligated to donate $\frac{1}{10}$ of the gross *ma'aser* to the *Kohen*. This gift, referred to as *Terumas Ma'aser*, has the same degree of *kedusha* (sanctity) as *teruma*. *Mid'oraisa*, according to *Torah* law, we have been given the exact amount to donate, which is $\frac{1}{10}$ of the *ma'aser* or approximately 1% of the total product. If *Terumas Ma'aser* was not separated, then the *Ma'aser Rishon* is considered *tevel* and would be forbidden for consumption.

These two tithes were separated and alternated throughout the six year Sabbatical cycle:

- **Ma'aser Shaini** - the second tenth separated on produce harvested in the 1st, 2nd, 4th, and 5th years of the *shmitta* cycle. This portion was brought to *Yerushalayim* to be eaten. If the owner of the *Ma'aser Shaini* lived too far from *Yerushalayim* to carry the actual produce, he was permitted to transfer the *kedusha* of the *Ma'aser Shaini* onto money. This money was brought either by himself or other Jewish pilgrims to *Yerushalayim* to purchase food and drink during their stay. Since we have a *halachic* provision permitting the transfer of *kedushas Ma'aser Shaini* onto coinage, we follow the same procedures today by transferring the sanctity of *Ma'aser Shaini* onto coins. Once the *Ma'aser Shaini* is transferred, the food is permitted to be eaten, and the coin is discarded.
- **Ma'aser Oni** - This was substituted for the *Ma'aser Shaini* separation in the 3rd and 6th years and was given to the poor. Today, that separation is still donated to them if one is certain that *Ma'aser Oni* had never been separated.

2. The *chachamim* implemented a sliding scale to guide people in determining the proper amount that they should separate. A more generous individual was guided to give $\frac{1}{40}$; a more frugal person could fulfill his obligation by giving only $\frac{1}{60}$; the average person was advised to give $\frac{1}{50}$. *Mid'oraisa*, the principle '*chita achas poteres es kol hakri*' applies i.e., any amount fulfills one's *teruma gedola* obligation, even a kernel of barley.

If one is in doubt, one is nevertheless obligated to separate this *ma'aser* but need not give it to the poor.

WHAT ARE ORLA AND NETA REVAI?

Any fruit that grew during the first three years of a tree's growth, or during the first three years after a tree is replanted, is known as *orla* and may not be eaten or used for any other purpose (*assurim b'hana'ah*). Fruits borne the year after *orla* also have a special status and had to be eaten only in *Yerushalayim*, unless they were redeemed. These 'fourth year' fruits are known *halachically* as *Neta Revai*.

These restrictions are still maintained today. Detailed maps of thousands of Israeli orchards are kept, and the trees monitored, in order to avoid *orla* and *neta revai* fruits from being consumed in error. *Orla* is also applicable *chutz la'aretz*; however, *halacha* dictates that one must know definitively whether the fruit grown outside of *Eretz Yisroel* is *orla*. If one is in doubt, the fruit is permitted.³ The procedure governing the transfer of *neta revai* onto coins is similar to that of *Ma'aser Shaini*.

To summarize, today the pertinent *hafrashos* (separation amounts) are as follows:

- **Teruma Gedola** - a small amount, respectfully discarded by wrapping it in plastic.
- **Ma'aser Rishon** - $\frac{1}{10}$ of the total after *teruma* has been given; it is verbally stipulated by noting its physical placement (e.g., north, south), and not actually separated.
- **Terumas Ma'aser** - $\frac{1}{10}$ of the *ma'aser* (i.e., 1% of the total products to be separated), discarded in the same manner as *Teruma Gedola*.
- **Ma'aser Shaini** - $\frac{1}{10}$ of the remaining product (given in the 1st, 2nd, 4th and 5th years of the cycle); its *kedusha* can be transferred onto a coin, which should be specifically set aside for the transfer of *Ma'aser Shaini*. The separated portion of food needs to be at least a *peruta's* worth (about ten cents) of food for the transfer to be valid. If it is not, *halachic* guidance is required. (See below for more information.)
- **Ma'aser Oni** - $\frac{1}{10}$ of the remaining product (given in the 3rd and 6th years of the cycle) when *Ma'aser Shaini* is not given.

FREQUENTLY ASKED QUESTIONS

Is there a way to separate *Ma'aser Shaini* if the portion of food that is separated is worth less than a *peruta*?

Yes. This separation can be accomplished if the person is in possession of or has permission to use a *peruta chamura*. A *peruta chamura* is a coin that is vested with the power of accepting additional *Ma'aser Shaini* separations on products

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3. *Safek orla shegadal b'chutz la'aretz sfaiko mutar*



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worth less than a *peruta*. *Halacha* states that a *peruta* is worth the value of pure silver, which is the size of half of a kernel of barley. Rabbi Moshe Feinstein, *zt'l*, ruled that to be considered a *peruta* the coin must have purchasing power. The smallest coin that fulfills this requirement is a dime.

To invest a coin with the power of *peruta chamura*, one must take a regular coin and an item of produce from *Eretz Yisroel* such as grapes, olives, or one of the five types of grain (barley, rye, wheat, oat, or spelt) from which one is certain that *Ma'aser Shaini* has never been separated. Once the first separation is completed, the coin is vested with the power of accepting additional separations up to the amount of the coin's value.

For what products could the *peruta chamura* be used when separating *ma'aser*?

It could be used for either finished products (e.g., candy bars, baked goods, prepared foods) or produce (e.g., an almond) which contain *ma'asros* but are worth less than a *peruta*.

How many times can a coin containing the *peruta chamura* be used?

One must realize that the *peruta chamura*'s value fluctuates with the price of silver. These days, the price of silver is very depressed so that the value of a *peruta* is worth less than a nickel. If, for example, you made a *peruta chamura* with a dollar coin, you could use that coin for nine additional *hafrashos* (separations), as follows: The dime would be vested with the *kedusha* of the *peruta chamura* and could then be used for nine additional *hafrashos* until the entire value of the dollar has been used.

What can be done once the *peruta chamura* coin is filled?

If a dime was used, it should be respectfully discarded as noted above. If a dollar coin was used, it can be preserved for future *hafrashos* by transferring 9/10 of the value to a dime.

The procedure to preserve the *peruta chamura* for future use is as follows: The owner of the dollar coin containing the *peruta chamura* places it next to a dime and then verbally transfers the *kedusha* of the nine additional separations from the dollar to the dime. **Very important:** When making the transfer, the owner states that the *peruta chamura* is not being transferred and that only the nine additional *hafrashos* are being transferred to the dime. The dime is then discarded in the trash and the *peruta chamura* can be reused for another nine *hafrashos*. This process can be repeated each time the coin is filled.

In a multi-ingredient product (e.g., a candy bar), how many separations are transferred onto the *peruta*?

One for each ingredient of the candy bar. All *hafrashos* can be done at the same time. Note: If the product bears a reliable *hechsher*, you can be assured that *terumos* and *ma'asros* have already been separated. If it doesn't, then other *kashrus*

concerns aside from *terumos* and *ma'asros* may need to be considered.

Who is permitted to take *terumos* and *ma'asros*?

Terumos and *ma'asros* can only be taken by a *Yehudi* above the age of *Bar/Bas Mitzvah*.

Can *terumos* and *ma'asros* be taken on *Shabbos* or *Yom Tov*?

No.

PROCEDURE FOR SEPARATING TERUMOS AND MA'ASROS

The procedure is as follows:

1. This document should be posted in a conspicuous place.
2. The coin (a dime or more) that you are using for the separation must be in front of you (for the *Ma'aser Shaini*).
3. Break or cut off more than 1/100 (i.e., > 1%)* of the food and set it aside from the rest (for *teruma* and *Terumas Ma'aser*).
4. Recite the following (either in Hebrew or English):

יותר מאחד ממאה שיש כאן הרי הוא תרומה גדולה בצד צפוני*,
אותו אחד ממאה שיש כאן ועוד תשעה חלקים כמותו בצד
צפוני של הפירות* הרי הוא מעשר ראשון. אותו אחד
ממאה שעשיתיו מעשר ראשון עשוי תרומת מעשר*,
ומעשר שני בדromo* ומחולל הוא וחומשו על פרוטה
במטבע שיחדתיה לחילול מעשר שני ורבעי. ואם
צריך מעשר עני יהא מעשר עני בדromo*. אם
הוא רבעי יהא מחולל הוא וחומשו על פרוטה
במטבע שיחדתיה לחילול מעשר שני ורבעי
*אם מעשר מינים הרבה צריך להוסיף
"כל מין על מינו".

Yoser m'echad meme'ah sheyaish kaan harey hu teruma gedola b'tzad tzefono. Oso echad meme'ah sheyaish kaan ve'od tish'a chalakim k'moso b'tzad tzefono shel hapairos* harei hu ma'aser rishon. Oso echad meme'ah she'asisiv ma'aser rishon osuy terumas ma'aser,* uma'aser shaini b'dromo,* u'mchulal hu v'chumsho al peruta b'matbai'ah sh'yichiditei l'chilul ma'aser shaini v'reva'i. V'im tzorich ma'aser oni y'hei ma'aser oni b'dromo. Im hu reva'i y'hei mechulal hu v'chumsho al peruta b'matbai'ah sh'yichiditei l'chilul ma'aser shaini v'reva'i.*

* If there is a food of more than one type that requires separation, one must additionally recite "kol min al mino."

English equivalent: Whatever is MORE than one hundredth of this food will be *teruma* on the north side of the piece which I have set aside.* The one hundredth, which is left in the piece I have set aside, plus nine other pieces the same size on the north side of the food* will be *Ma'aser Rishon*. That same one hundredth in the piece I set aside which I have made *ma'aser*

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4. Refer to Note 2 above for a full discussion of this point.





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CANDY TAKES A *Shellacking*

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As the name suggests, glaze is a coating application that ensures that the bright candy color does not fade. The FDA (Food & Drug Administration) classifies confectioner's glaze as a GRAS (Generally Recognized As Safe) ingredient. But how does *halacha* view confectioner's glaze?

The *shaila* was posed to the *posek hador*, HaRav Moshe Feinstein, zt"l, in 5725 (1965) and again twenty years later in 5745 (1985) to another of the *gedolei haposkim*, the *Minchas Yitzchak*, zt"l (head of the *Eida Hachareidis*). Both *shailos* were presented explaining the process in exactly the same way, targeting the same points for their adjudication.

Both R' Moshe, zt"l, and *Dayan* Weiss, zt"l, cited exactly the same reasons for permitting confectioner's glaze. R' Moshe equated the resin exuded by the lac bug with bee honey and felt that *halacha* permitted this type of secretion. Furthermore, unlike honey, which is very tasty, once the resin hardens it no longer retains any food-like properties; it is used only to preserve the color integrity of a product, and the starter material is *halachically* no different than honey. As pointed out by Rav Moshe Heinemann, *shlit"a*, Rabbinic Administrator of STAR-K, confectioner's glaze is the same type of shellac that is used to polish floors. It is not considered an edible product, although

1. *Igros Moshe*, Y.D. II, *siman* 24
2. *Minchas Yitzchak*, *siman* 65

it is approved by the FDA as a 'GRAS' product. However, Rav Heinemann, *shlit"a*, points out that this is the basis of the *heter* of R' Moshe, zt"l. It is the policy of STAR-K to follow R' Moshe's *psak* of permitting the use of confectioner's glaze. The *Minchas Yitzchak*, zt"l, while agreeing with all of R' Moshe's reasoning, acknowledged the permissibility of its use only *in theory* due to his lack of firsthand knowledge of the confectioner's glaze process.

To sum up the reasons for their *psak*: (1) The lac bug expels the sap without additional processing (similar to honey, unlike royal jelly, which is considered to be non-kosher). The resin becomes usable only after processing. The lac bug simply acts as a conduit between the sap and the stick resin. (2) The shellac hardens on the tree and has no nutritional value. (3) The shellac has no taste or color. (4) During the process of transforming the stick resin into confectioner's glaze, the resin is mixed with an alcohol-to-resin ratio of 4:1 and is, thereby, nullified (*batel*). (5) Refined confectioner's glaze is used as a protective coating and not for color (*chazusa*) or taste (*taam*).

Ironically, vegans are 'machmir' and view confectioner's glaze in the same light as they do all insect byproducts as non-vegan, and thus not 'permissible' for use by their adherents. Instead, they have found a corn-based glaze alternative called *zein* that is insect-free, certified kosher and *pareve*. Go figure!

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will be *Terumas Ma'aser*.* Furthermore, I am proclaiming *Ma'aser Shaini* to be in effect on the south side of the food,* and I am redeeming it and its fifth on a *peruta* (smallest amount of money recognized by the *Torah* for most purposes) of this coin which I have in front of me. If this food requires *Ma'aser Oni*, the *Ma'aser Oni* shall take effect on the south side of the food.* If this food is subject to the laws of *Neta Revai*, then it and its 1/5 shall be redeemed on a *peruta* of this coin which I have in front of me.

* If there is a food of more than one type that requires separation, one must additionally recite "each type of food for its type."

5. Double wrap the broken or cut-off piece in plastic and discard.
6. The coin - dime, quarter or dollar - must eventually be disposed of in such a manner that it will not be used.
7. The food may now be eaten.

If it is difficult to say the long version, the following may be said:

All separations and redemptions shall take effect as is specified in this STAR-K document outlining the procedure for

separating terumos and ma'asros, tithes and redemptions, which I have in my possession.

When *terumos* and *ma'asros* are separated using this procedure, only a little over 1/100 of the food will not be permitted for consumption; all the rest may be eaten. Even though the tithes constitute over 1/5 of the food, one is permitted to eat most of the tithes oneself even if he is not a *Kohen* or a *Levi*. Under no circumstances will it suffice merely to break off a piece of the food and throw it away. The aforementioned instructions must be strictly followed. The laws of tithes apply to everyone, including the *Kohen* and *Levi*.

Certified Products

Products produced in *Eretz Yisroel* under *Mehadrin* *kashrus* standards bearing a *Mehadrin* symbol have already undergone the necessary separation of *terumos* and *ma'asros* and are permitted for consumption. STAR-K and all other reliable American certifications on an Israeli product indicate that all *terumos* and *ma'asros* have been separated. When in doubt, one should consult with one's *rav* or the STAR-K hotline to ascertain whether *hafrasha* is necessary.



Insights from the Institute

SHAILOS FROM
THE INSTITUTE OF HALACHAH

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Q: Do potato chips need to be *bishul Yisroel* (cooked by a Jew)?

A: The *Shulchan Aruch* states that there is a rabbinic obligation that food be cooked through *bishul Yisroel* if both of the following conditions are met: (i) The food is generally not eaten raw, and (ii) The cooked food is something that would be served at a *shulchan melochim* – a king’s table.¹ Since we are no longer ruled by royalty, we cannot observe what is served at a king’s table. The modern-day equivalent to a king’s meal is an elegant meal, such as that served at a wedding.² This second condition is met whether the food is served at a *shulchan melochim* as part of the main course or as the dessert. In either case, if the food is generally not eaten raw it needs to be *bishul Yisroel*.³

The *Aruch Hashulchan* proposes that potatoes are peasant food and are not served at a *shulchan melochim*.⁴ However, this no longer seems to be the case as potatoes are served as a side dish at weddings. For this reason, the consensus of *Poskim* is that potatoes are served at a *shulchan melochim* and need to be *bishul Yisroel*.⁵ Rav Moshe Feinstein, *zt”l*, therefore writes that there is no clear *heter* for eating potato chips which are not *bishul Yisroel*.⁶ He adds that those who are lenient are relying upon the opinion that food produced in a commercial factory does not need to be *bishul Yisroel*.⁷ He concludes by saying that one does not need to rebuke them for relying on this *heter*. It seems clear that Rav Moshe feels, *lechatchila*, that potato chips should be *bishul Yisroel*. Furthermore, the possible room for leniency that Rav Moshe suggests is debatable. The *Chazon Ish* emphatically denied that there is any distinction between cooking in a residential or commercial setting regarding the need for *bishul Yisroel*.⁸ STAR-K policy is not to rely on this *heter* at all. Why then does STAR-K certify potato chips which are not *bishul Yisroel*?

In order to answer this, we have to ask ourselves the following question: What is the *halacha* when a particular food is served on a *shulchan melochim* when prepared in one manner but not when it is prepared in a different manner? The humble potato is an excellent example. As stated above, potatoes are served at a *shulchan melochim* when they are prepared as a side dish to the main course of the meal and need to be *bishul Yisroel*. However, potato chips are prepared in a different manner and are generally not eaten at a meal, either as a side dish or as a dessert. Rather, potato chips are generally eaten as a snack in between meals and are, therefore, not served at a *shulchan melochim*. The question now presents itself: Do we say that if one form of cooked potato needs to be *bishul Yisroel* then all forms of cooked

potato need to be *bishul Yisroel*? Or do we say that, although one form of cooked potato needs to be *bishul Yisroel*, other forms of cooked potato do not necessarily need to be *bishul Yisroel*? The first approach would necessitate that potato chips be *bishul Yisroel*, whereas the second approach would not.

Although the earlier *Poskim* do not discuss potato chips, they do talk about a similar case. A bread-like product can be made from rice flour, and the *Rosh* states that this product does not need to be *bishul Yisroel* if it is not served at a *shulchan melochim*.⁹ The *Beis Yosef*¹⁰ points out that the implication of the *Rosh* is that there are circumstances where this food is served at a *shulchan melochim* and would need to be *bishul Yisroel*. The *Rema* in his *hagohos* on *Shulchan Aruch* quotes the *Rosh*, and says that bread made from rice flour does not need to be *bishul Yisroel* if it is not served at a *shulchan melochim*.¹¹ As the *Beis Yosef* has pointed out, this implies that the product does need to be *bishul Yisroel* if it is prepared in such a way as to be served at a *shulchan melochim*. It seems clear that both the *Beis Yosef* and *Rema* hold that there can be food which needs to be *bishul Yisroel* when prepared in one way but not when it is prepared in a different way. However, the *sefer Issur VeHeter HaAruch* understands the *Rosh* differently and *paskens* that bread made from rice flour always needs to be *bishul Yisroel* because other rice products are served at a *shulchan melochim*.¹² The *Rema* in his *sefer Toras HaChatos* takes issue with this and says that food served at a *shulchan melochim* when prepared one way does not necessarily need to be *bishul Yisroel* when prepared in a different way.¹³ As we have seen, this is consistent with the *Rema*’s opinion in his *hagohos* on *Shulchan Aruch*. The commentaries on *Shulchan Aruch* do

not question the *Rema*, indicating that they agree with his point of view. It should follow that although potatoes need to be *bishul Yisroel* when prepared as a side dish, potato chips should not need to be *bishul Yisroel*.

As such, it seems difficult to understand why Rav Moshe Feinstein says that potato chips need to be *bishul Yisroel*. Rav Yisroel Belsky, *zt”l*, points out that unlike the majority of Rav Moshe’s *teshuvos* which provide lengthy explanations and detailed reasoning behind his decisions, the *teshuva* about potato chips is just a few lines long. Furthermore, Rabbi Belsky adds that even the person who proposed the question to Rav Moshe no longer



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Insights from the Institute

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remembers exactly what food item they were discussing.¹⁴ It seems that Rav Belsky is entertaining the possibility that the discussion was actually about french fries or some similar product, rather than potato chips as we know them. (It should be noted that in England, french fries are called chips.¹⁵)

Rabbi Belsky is also skeptical of the rumor that Rav Yaakov Kaminetsky, *zt"l*, held that potato chips need to be *bishul Yisroel*. He says that if there is any truth to this rumor, it must be that Rav Yaakov was provided with incorrect information about potato chips.¹⁶ However, the *sefer Emes LeYaakov* accepts that Rav Yaakov held this way and brings a proof that Rav Yaakov offered for his position.¹⁷ The *Rema paskens* that food which is first cooked¹⁸ by an *akum* until it is one third or one half cooked is considered to be *bishul Yisroel* if a Jew subsequently completes the rest of the cooking process.¹⁹ However, if no further cooking takes place, the food is forbidden because of the *bishul akum*.²⁰ Rav Yaakov points out that food which is only one third or one half cooked is surely not served at a *shulchan melochim*, but is nevertheless subject to the prohibition of *bishul akum*. Evidently, since the food is served at a *shulchan melochim* when fully cooked, the laws of *bishul Yisroel* apply even when the food is not prepared in that manner. The same reasoning would apply regarding potatoes. Since potatoes that are being served as a side dish need to be *bishul Yisroel*, potato chips also need to be *bishul Yisroel*.

Other *Poskim*²¹ point out that the case where food is one third or one half cooked is not fully analogous to the issue of potato chips. In that case, further continuation of the very same cooking process will result in the food becoming fully

cooked and ready to be served at a *shulchan melochim*. In other words, even though partially cooked food is not yet servable at a *shulchan melochim*, the laws of *bishul Yisroel* do apply since the food is in the midst of a process which will result in it being fit to be served on a *shulchan melochim*. However, potato chips and potatoes that are served as a side dish are prepared in completely different ways. Although potatoes served as a side dish need to be *bishul Yisroel*, there is no reason to believe that potato chips also need to be *bishul Yisroel*. On the contrary, the case of the rice bread discussed above proves that food may need to be *bishul Yisroel* when prepared in one manner but not when prepared differently.

Furthermore, Rav Yaakov's assumption that food which is one third or one half cooked is not served at a *shulchan melochim* is not clear. In fact, the *Tiferes LeMoshe* explicitly states that food which is one third or one half cooked is considered to be *bishul akum* only if it is fitting to be served at a *shulchan melochim*.²² Rav Heinemann, *shlit"l*, follows the position of the *Tiferes LeMoshe* and *paskens* that the laws of *bishul Yisroel* apply to partially cooked food only when it is fit to be served at a *shulchan melochim*.²³ According to the *Tiferes LeMoshe*, it should certainly follow that potato chips which are not served at a *shulchan melochim* do not need to be *bishul Yisroel*.

There are contemporary *Poskim*²⁴ who feel that potato chips need to be *bishul Yisroel*. However, as discussed, there is ample reason to *pasken* that potato chips do not need to be *bishul Yisroel*. Therefore, STAR-K and other national kashrus agencies do not require potato chips to be *bishul Yisroel*.²⁵

1. שו"ע יו"ד סי' קיג סעי' א

2. כתב הברכ"י שם ס"ב פ"ב שלא דוקא מלכים אלא אפילו עולה על שלחן שרים יש בו משום בישול עכו"ם, וממור"ר ר' היינעמאן שליט"א שמעתי שבזמנינו סעודת נישואין היא דוגמא לשלחן מלכים

3. כתב השו"ע שם שיש דין בישול עכו"ם בפרפרת, והיינו דבר הנאכל לקינוח סעודה כמבואר ברמ"א שם סי' ב ובחכ"א כלל סו דין א ודלא כהפר"ח שם ס"ק ג, וכן פסק בשו"ת שבט הלוי ח"ב סי' מג

4. ערוך השלחן שם סעי' יח

5. שו"ת שבט הלוי ח"ב סי' מה וח"ט סי' כג, וכדברי החכ"א כלל סו דין ד

6. שו"ת אגרות משה יו"ד ח"ד סי' מח אות ה

7. מקור להיתר זה נמצא בשו"ת מהריט"ץ סי' קסא

8. כ"כ בשו"ת שבט הלוי ח"ט סי' כג שהחזו"ר דחה היתר זה בפשיטות, וכבר כתב הברכ"י סי' קיב ס"ק ט שמש"כ המהריט"ץ שגם בבישולי גוים יש היתר בפלטר "זו לא שמענו"

9. שו"ת הרא"ש כלל יט סי' כא

10. בית יוסף סי' קיב

11. רמ"א שם סעי' א

12. איסור והיתר הארוך כלל מד דין ג

13. תורת החטאת כלל עה דין יא

14. שו"ת שלחן הלוי - בירורי הלכה סי' כה

15. וכן אמר מו"ר ר' היינעמאן שליט"א שנראה שהנידון באגרות משה הנ"ל היה על מאכל כזה ולא על מה שאנו קוראים צ'יפס

16. שו"ת שלחן הלוי שם

17. אמת לעיניך על שו"ע יו"ד סי' קיג הערות מפי השמועה אות 42

18. שיעור מאכל בן דרוסאי הוא שליש בישולו לדעת ר"ש שבת דף כ ע"א (ד"ה בן) וחצי בישולו לדעת הרמב"ם פ"ט מהל' שבת הל' ה, ועי' בחלקת בנימין סי' קיג סעי' ט ביאורים ד"ה כמאכל מש"כ בזה

19. רמ"א סי' קיג סעי' ט

20. עי' בחלקת בנימין שם ס"ק צב ובציונים שם ס"ק רנח

21. בן כתבו בשו"ת חשב האפוד ח"ג סי' כט ובחלקת בנימין סי' קיג ס"ק ח

22. כ"כ התפארת למשה סי' קיג סעי' ט, וז"ל, "בשו"ע סי' ט אם בישול גוי כמאכל בן דרוסאי וגמרו ישראל יש לאסור [הרמ"א כתב] ויש מתירין בו ע"ש, וכן נראה לי עיקר דהא אינו עולה על שלחן מלכים כשהוא כמאכל בן דרוסאי כל זמן שלא נגמר בישולו, ולדעת המחבר צ"ל דעולה על שלחן מלכים אף שלא נתבשל רק כמאכל בן דרוסאי דוק, וכ"מ דאי לא גמרו ישראל רק בישול גוי כמאכל בן דרוסאי לכו"ע אסור", ועי' בחלקת בנימין שם ביאורים ד"ה א'ם בישולו מש"כ בזה

23. בן שמעתי ממו"ר ר' היינעמאן שליט"א

24. בשו"ת שבט הלוי ח"ט סי' כג הסיק שיש להחמיר בזה, אמנם בתשובה אחרת שם ח"י סי' קכד כתב שאין למחות בחוק יד על המקילים ומכל מקום לבעל נפש יש מקום להחמיה ובספר אשרי האישי יו"ד ח"א

פ"ה אות א הביא בשם הגרי"ש אלישיב זצ"ל בזה"ל, "בחטיף צ'יפס שייך בישול עכו"ם שעולה על שלחן מלכים, כי מלבד שגשגה מתפוחי אדמה אפשר לאוכלו עם גבינה רכה ללפת את הפת, ואין בו חסרון מצד חשיבות"

25. וכן פסק מו"ר ר' היינעמאן שליט"א



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STAR-K Certification Kashrus Seminars Will Benefit Kehillos *from Lakewood to Louisville*

by Margie Pensak

Portland, OR and Richmond, VA, were just two of the locales from which participants traveled to attend STAR-K Kosher Certification's back-to-back seminars in its Baltimore offices. The 13th Annual STAR-K Kashrus Training Program was held August 1-4, followed by the Food Service Kashrus Training Seminar, August 8-10. Both certificate programs featured a Q & A session with STAR-K Rabbinic Administrator HaRav Moshe Heinemann, *shlit"a*, a variety of lectures by STAR-K Kashrus Administrators, tours of STAR-K-certified establishments, and hands-on vegetable checking practicums. The first seminar included a live *nikkur* demonstration on a calf.

Rabbi Yitzy Mandel and Rabbi Simcha Snaid, *kollel yungerleit* of Yeshiva Chofetz Chaim in Queens, NY, found the Kashrus Training Program invaluable in preparation for their imminent move to Louisville, KY, where they hope to rejuvenate *Yiddishkeit* for its Jewish population. "The more informed we are, the better we are able to give over the information," mentioned Rabbi Snaid, the new *rav* of the Orthodox Congregation Anshei Sfard.

Rabbi Rephael Yehuda Frankel and Rabbi Dovid Norman—both of whom learn and answer *shailos* at the Bais Horaah of Lakewood—also participated. "People very often call Bais Horaah to ask *kashrus* questions," explained Rabbi Frankel. "When it's a bigger question you can always refer them to agencies, but I learned the basic knowledge of how things run, what's a question and what's not a question, and what things are more simple and more complicated to know how to guide people."



Although Rabbi Ahron Kushner commutes 1000 miles/week from Cleveland Heights to Canton, OH, as the *rav* of Agudas Achim Congregation, he did not hesitate to put on the extra mileage to attend the Food Service seminar. "In *Shulchan Aruch*, they don't talk about deep fryers and steam kettles; you really have to be there to see it," said Rabbi Kushner. "Kashrus is important, and STAR-K has a lot of policies that are dummy-proof."

The STAR-K Food Service Seminar provided something which the Kashrus Training Program didn't—a separate section for *mashgichos*. Among them was Ilene Paley of Richmond, VA, who has called STAR-K's Kashrus Hotline with *shailos* three or four times a month—for the past 12 years—in her capacity as *mashgicha* of the local JCC and Keneseth Beth Israel.

"STAR-K's mission has always been to help educate as many people about *kashrus* as possible," noted Rabbi Sholom Tendler, Food Service Kashrus Training Seminar coordinator. "To be able to have a hand in enhancing *kashrus* in so many communities is something that is a privilege for us."

"As we celebrate our "*bar mitzvah*" year of seminars, we are deeply grateful to *Hashem* that we are able to serve the kosher world in this way," remarked STAR-K Kashrus Administrator Rabbi Zvi Goldberg, coordinator of the Kashrus Training Program. "Our graduates occupy positions in *kashrus* or the rabbinate throughout the world. Many keep in touch with us for updates on *kashrus* or consultations with our staff. We are now working on our next 13 years, *iy"H!*"

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