A Halachic Exercise in Self-Control

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SCENE 1: You are hungry. You desperately need something to hit the spot. Suddenly, your friend offers you a delicious chocolate frosted cupcake, complete with sprinkles. Your mouth begins to water. One hour, while we have the wherewithal to exercise self-control and resist the “fruit” of our labor” for three years!

The Midrash cites R. Yehuda ben Pazi, who draws a marked distinction between Adam, Chava and the behavior of Bnei Yisroel. Adam and Chava’s impetuosity deterred them from heeding Hashem’s command for even one hour, while we have the wherewithal to exercise self-control and resist eating the “fruits of our labor” for three years!

The Torah commands us to wait for three years before partaking of fruit-bearing trees. The forbidden fruit of this period is known as orlah.

In 1196, the Talmud states that fruit that grows within the first three years shall not be eaten. When do we start the three-year count? Interestingly, the three-year count is flexible, depending upon the time the tree was planted. All trees have their annual count from the 15th day of Av, the young sapling enters its second year of the count in six weeks. However, if a tree was planted 44 days before Rosh Hashana, one would have to wait an additional year before eating its fruits.

What is a fruit? Technically, “fruit” is defined as the “edible seed-bearing structure of a plant”. This definition includes melons, berries, tropical fruits such as bananas, as well as other popular fruits. Horticulturists define fruits as “the edible fruiting body of a woody perennial”. A perennial is a plant that lives for two or more years. An annual is a plant that dies or degenerates after one year. The Shulchan Aruch and horticulturists consider the fruit of an annual to be a vegetable. A banana is a perfect example of a tropical fruit that grows on an annual plant. After one season, the banana bush dies and the young sapling enters its second year of the count in six weeks.

However, if a tree was transplanted, the time it was planted. Not only are fruits prohibited to eat, one may not even derive any sort of benefit from them. The prohibition of orlah applies equally to trees that grow outside the Land as well, but certain leniencies mitigate the issue on a practical level. Therefore, our focus is on orlah as it pertains to fruits grown in Israel. Managing orlah fruits in the marketplace requires thorough knowledge of the sophisticated agricultural methods currently applied in the orchards of Eretz Yisroel. These practices help to boost product yields and promote efficient use of resources, without compromising the ability to determine which fruits are affected by orlah. A major factor is that trees are now producing delectable fruit already in their second year. Furthermore, economics dictate that it

Outside the Land of Israel, after addressing the problem of bug infestation, consumers are accustomed to treating fruits and vegetables as kosher without special certification. However, while visiting Israel or enjoying produce that has been exported from the Land, one must navigate the unfamiliar complexities of mitzvos ha’Iyunos basanei orlah (kosher laws relating to agricultural products). Unless one is proficient in these laws, he must be careful to partake only of agricultural products from which tithes (t’rumah, ma’aser ba’aretz) have been properly separated, and whose sabbatical year (shmittah) status has been verified.

Most restrictions pertaining to fruits infused with kedushas ha’aretz (sancity of the Land) can be rectified to render them fit for consumption, sometimes with limiting conditions. An exception to this is orlah, fruit produced by a tree within its first three years from the time it was planted. Not only are orlah fruits prohibited to eat, one may not even derive any sort of benefit from them. The prohibition of orlah applies equally to trees that grow outside the Land as well, but certain leniencies mitigate the issue on a practical level. Therefore, our focus is on orlah as it pertains to fruits grown in Israel.

Managing orlah fruits in the marketplace requires thorough knowledge of the sophisticated agricultural methods currently applied in the orchards of Eretz Yisroel. These practices help to boost product yields and promote efficient use of resources, without compromising the ability to determine which fruits are affected by orlah. A major factor is that trees are now producing delectable fruit already in their second year. Furthermore, economics dictate that it

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Costs more to harvest fruit from an older tree that has grown taller; thus, it is better to cultivate smaller trees by replanting them every few years. This causes the three-year count to start anew.

To assist consumers, the Institute for Advanced Studies in Halachah for Agricultural Settlements, led by Rav Yosef Efrati, publishes charts which can be consulted regarding which fruits are affected by orlah. Unfortunately, these charts do not provide a simple ‘yes’ or ‘no’ answer; instead, they offer information based on percentages. Therefore, to make use of these charts one must first understand some of the basic halachic background of how orlah is managed today.

At any given time, there is a mixture of orlah and non-oryah fruits in the marketplace. Undoubtedly, the non-oryah varieties comprise the majority, but the orlah fruits can form a significant minority. Postkins have adopted various positions toward this situation.

A possible lenient approach is purportedly offered by the Chazon Ish 27:1. He says we are allowed to look at each individual fruit purchased as coming from the majority, based on the rule of ‘kol d’parish meirubah parish’. Therefore, if the majority of a particular species of fruit is not orlah, we may assume the fruit is permitted.

However, this leniency is limited by the rules of kavuah. Following the majority is valid only when the orlah status of a tree is not readily apparent at the time of harvest, and the doubt began prior to the fruit arriving in the store. Growers today are usually aware of which trees are orlah; therefore, one can no longer follow the simple majority.

Nevertheless, a different lenient reasoning can be suggested. Namely, if the presence of prohibited items is deemed to be sufficiently small, one need not be concerned that his fruit came from that minority. What is the threshold for ‘sufficiently small’? Conventional halachah follows the view of Mishkanos Yaakov, who places the amount at 10%. Therefore, if orlah fruits from a given species are less than 10% of all available fruits of that type, one may purchase that fruit and ignore the minority of prohibited fruits.

Based on a variety of factors, Rav Elyashiv 21” ruled that the percentage of orlah fruits among a particular species that would prohibit all fruits of that type is actually 5%. Research indicates that a presence of less than 5% indicates that the orlah problem exists only in specific localized districts and is not uniformly distributed throughout the country. Since we can ascertain that many regions do not contain any orlah fruits at all, fruit in the market is originating from a place which is only a safich (doubtful) status of kavuah. As such, the majority may once again be followed.

<table>
<thead>
<tr>
<th>Species/Family</th>
<th>Traits &amp; Description</th>
<th>Harvest Period</th>
<th>Planting Area (dunam planted in 5770)</th>
<th>General Area (dunam planted for the entire species)</th>
<th>% Orla</th>
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<tbody>
<tr>
<td>PEACH – ALL</td>
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<tr>
<td>Early Spring</td>
<td>Yellow skin</td>
<td>April, May</td>
<td>1750</td>
<td>20050</td>
<td>2.35</td>
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<tr>
<td>Texas</td>
<td>Yellow skin, large</td>
<td>April, May</td>
<td>240</td>
<td>1500</td>
<td>5.8 1.4</td>
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<tr>
<td>Almog</td>
<td>White skin</td>
<td>End April until May</td>
<td>40</td>
<td>1000</td>
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<tr>
<td>White Spring (1270)</td>
<td>White skin, similar to Almog</td>
<td>End April until May</td>
<td>500</td>
<td></td>
<td></td>
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<tr>
<td>Horizon</td>
<td>Similar to Swelling, White skin, light color, small</td>
<td>May</td>
<td>100</td>
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<td>Florida Glow (9-82)</td>
<td>Similar to Swelling, White skin, large</td>
<td>May, June</td>
<td>500</td>
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<td>83-4</td>
<td>White skin, compressed/flattened look, red, not solid</td>
<td>May, June</td>
<td>100</td>
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<tr>
<td>Tropic Snow</td>
<td>Similar to Swelling, White skin</td>
<td>May, June</td>
<td>450</td>
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<td>Jubilee</td>
<td>Yellow skin, elongated and cone shaped</td>
<td>June</td>
<td>50</td>
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<td>Oded (10 gimmel–yud 87)</td>
<td>White skin, similar to Swelling</td>
<td>June</td>
<td>450</td>
<td>5000</td>
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<tr>
<td>Swelling (Rhodes)</td>
<td>White skin, large</td>
<td>June</td>
<td>150</td>
<td>2000</td>
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<td>Babcock</td>
<td>Resembles Swelling, white skin, pointed edge</td>
<td>June</td>
<td>2700</td>
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<td>Sugar White Lady</td>
<td>Resembles Babcock but large</td>
<td>July</td>
<td>50</td>
<td>1500</td>
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<tr>
<td>Summer Snow</td>
<td>Resembles Babcock but large</td>
<td>July</td>
<td>350</td>
<td>3000</td>
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<tr>
<td>Hermosa</td>
<td>White skin, elongated, large</td>
<td>July, August</td>
<td>40</td>
<td>1500</td>
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<tr>
<td>198-12 Ruby Dew</td>
<td>Similar to Summerset, Yellow with red cheek</td>
<td>July, August</td>
<td>50</td>
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<tr>
<td>Summerset &amp; Fairtime</td>
<td>Yellow skin, very large</td>
<td>September</td>
<td>300</td>
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<tr>
<td>September &amp; Scarlet Snow</td>
<td>White skin</td>
<td>September</td>
<td>430</td>
<td>7800</td>
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<tr>
<td>NECTARINE</td>
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<tr>
<td>Redglo</td>
<td>Yellow skin, small-medium</td>
<td>April, May</td>
<td>–</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Mayglo</td>
<td>Yellow skin, small-medium, shiny red</td>
<td>May</td>
<td>–</td>
<td>700</td>
<td></td>
</tr>
<tr>
<td>Fast Red Jesse 100</td>
<td>Yellow skin</td>
<td>May</td>
<td>0</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>11-9 Sunred</td>
<td>Yellow skin, medium</td>
<td>May</td>
<td>–</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Gali</td>
<td>White skin</td>
<td>May</td>
<td>150</td>
<td>1500</td>
<td></td>
</tr>
<tr>
<td>Sun Snow</td>
<td>White skin</td>
<td>May</td>
<td>30</td>
<td>2000</td>
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years, or if a fruit is produced less than a year from the time of its planting, that fruit would not be subject to the laws of orlah.

This point was illustrated more than 500 years ago, when the rabbis of Tzfat were asked whether the “bendingen,” more popularly known as “chatzilim” in Israel or eggplant in the United States, is subject to orlah. The fruit of the bendingen is borne within one year of the tree’s planting. Subsequently, the quality of the bendingen diminishes in the second season of growth, while the third season produces fruit of poor quality. Should bendingen be subject to the laws of orlah or not? It was decided by the great rabbis of Tzfat that since the tree bore fruit so quickly and the quality diminished rapidly, the eggplant is considered to be a vegetable.

Furthermore, the Birkei Yosef records this query as it was posed to R’ Yosef Karo z”l, the author of the Shulchan Aruch. His answer was as follows: “The Holy Ari z”l are bendingen, so it must be kosher!” Obviously, the Ba’is Yosef concluded that “bendingen” is not subject to orlah.

In a recent responsa, a similar question was posed about the orlah status of a papaya. The Gaon, R’ Shmuel Gamziron, and the Mahari Cholevo cite a Tosafot that states that if a tree bears fruit within the first year of its planting, then that fruit is halachically considered a vegetable. Papaya can be harvested within eight to ten months of its planting. Since the papaya tree bears fruit so quickly, as in the case of eggplant, the papaya is considered a vegetable; the blessing recited over papaya is borei pri hodaam, and it is not subject to orlah. The Rav Pe’alim also notes that since the papaya tree is hollow, the brocha recited over papaya should be haradama. The Kaf HaChaim, Rav Ovadia Yosef, Rav Mordechai Eliyahu, Mehker HaBracha, VeSein Bracha, and Pischei Halacha all concur with this decision.6

Fruits do not have to grow on a woody tree in order to be subject to the laws of orlah. Grapes are a classic example of a fruit which grows on a vine and is subject to orlah. Kiwi is a fruit that is a relative newcomer to the shores of the United States. Is kiwi fruit subject to orlah? Kiwi grows primarily in New Zealand, Chile and Italy; it was cultivated in the United States 40 years ago. The kiwi fruit grows on vines, similar to grapes. The vines are perennial and would be a candidate for orlah. However, since the kiwi plant requires three to five years before it matures and bears fruit, orlah is generally not a problem.

Where does orlah apply? The Torah clearly states that the mitzva of orlah applied upon entering Eretz Yisroel - “Ki savo el haaretz.”

M’doreis, according to Torah law, orlah applies only to fruit grown in Eretz Yisroel. However, our rabbis teach us that the laws of orlah are not unique to fruit grown in Israel and the mitzva is observed in the Diaspora, as well! There is a fundamental difference concerning orlah vis-à-vis fruit grown in Israel and fruit grown in the Diaspora. In Israel, orlah fruit is prohibited m’doreis. Fruit grown outside of Israel is forbidden to us as ha’adama l’moshe m’mosui. Divine tradition. If we have a question concerning whether or not a specific fruit grew within the first three years of planting, seisef orlah, the halacha is as follows: Fruit grown in Israel is considered orlah fruit and is prohibited; fruit grown outside of Israel is permitted. Today in Israel, fruit charts containing specific orlah information are distributed to help consumers identify orlah concerns.

How does orlah apply to grafting? It is a known fact that trees, branches and root stock are commonly grafted. Grafting increases the productivity of fruit trees and helps repair damaged plants. It may also be used to cultivate or reproduce a unique fruit characteristic that develops, such as an unexpected variety that appears, e.g., Granny Smith apples or seedless fruits. Grafting is typically used to speed up or direct a tree’s growth, as well as further produce the unique variety. There are three popular methods of grafting: whip, cleft, and bark grafting.

All three methods incorporate a scion, the bud or branch to be grafted, which is connected to a rootstock. In cleft grafting, the scion is connected directly into the root by carving a V-shaped opening in the root. In bark grafting, the scion is placed under the bark. The Shulchan Aruch clearly prohibits grafting two separate, unrelated species, e.g., an apple scion to a pear rootstock. It is prohibited to graft a fruit-bearing scion onto a non-fruit-bearing stock.6 Renewing the orlah count depends upon the rootstock. Grafting a similar stem to an existing rootstock is permissible, and the orlah count is not affected. When uprooting and replanting a rootstock to strengthen the tree or speed its growth, or replanting a shoot which grows on its own, the orlah count begins once again.

At the conclusion of the orlah cycle, the fruits borne during the fourth year are vested with special sanctity and are known as neta revei. Before eating these fruits, this sanctity has to be transferred onto a coin, similar to the procedure used in tithing ma’aser sheni. Once the coin is vested with the sanctity of neta revei, the fruit may be eaten. In the Diaspora, only grapes are imbued with this sanctity. We hope this article gives the kosher consumer a greater appreciation for these mitzvos.

As growers become more sensitive to the demand for orlah-free fruit, they are taking measures to reduce the percentage of orlah in the market. One method used is to leave the saplings in tree nurseries for more than a year before being planted in the ground. According to some Poskim, the three year count begins from the original planting, so that after two years in the orchard the fruit is no longer designated as orlah. While the standard Rabbanut certification makes use of this leniency, the mehadim hechshemim do not. They require that three years be counted after the tree has been planted in the ground.

The published charts are updated twice a year, for summer and winter fruits, indicating the percentage of orlah in the field for each type. Attention should be given to the different varieties within a species since they may differ. For example, one type of peaches may be 7% and another type only 1%.

1 Yoreh Yoreh 294:8 & 9
2 Yoreh Yoreh 294:9
3 Yoreh Yoreh 294:9
4 A tree requires two weeks to root, plus thirty days to be considered a year. The day of planting does not enter into the count.
5 Yoreh Yoreh 25
6 Birkei Yosef, Yoreh Yoreh 294
7 She’elos U’She’elos 25
8 See Aharon Ishoshua Rav Pe’alim 361:5 for additional reasons
10 Safed yivra Avraham
11 Safed orlah Echabe, Scavenger’s Checklist and additionally
12 Yoreh Yoreh 294:8 & 9
13 See related article, page 13
14 Yoreh Yoreh 294:6
15 Yoreh Yoreh 294:16
16 Ibid Orlah 25

Charting the Course of Orlah

Another approach is to view the orlah and non- orlah fruits available in the market as one large mixture. The Mishnah5 teaches that when orlah fruits become mixed together with non- orlah fruits, in a way that the two types are indistinguishable from one another, the orlah is nullified in a ratio of 200:1 or less. Thus, if it can be determined that the presence of orlah among all similar fruits is less than ½%, one may purchase the fruit.

A very restrictive approach determines that the presence of just one fruit-bearing tree among a species establishes a state of havuah for all fruits of that species. Only a comprehensive traceback to a tree that is known to definitely not be orlah will permit the fruit for sale.

The policy amongst most halachic authorities is to permit the fruits of a variety only if the presence of orlah is less than ½%.
Americans generally do not drink as much tea as the rest of the world. This may have something to do with a certain party they had in Boston a while back. That being the case, you might be surprised to learn that tea is second only to water in worldwide beverage consumption. In fact, some estimates place tea consumption in the billions of cups daily. That’s a lot of tea. However, with recent health benefits being ascribed to tea, its popularity in this country is definitely on the rise. In this article, we will explore the world of tea and its kashrus and halacha. First, a little background is in order.

BACKGROUND

Tea is a processed leaf. It is grown on a tea tree which, if allowed to grow wild, would reach 30 or more feet in height. On tea plantations, the main trunk of the seedlings is cut to produce a plant that grows more like a bush than a tree, to enable an easier harvest. Tea is grown in temperate to tropical areas around the world, the majority coming from India, China, Sri Lanka and, of course, Japan. The early Chinese are credited with the discovery of pouring hot water over these leaves to make tea. Legend has it that the emperor, Shen Nung, would drink water only after it was boiled. He was sitting under a tea tree one day, while his servant was boiling up some water. Some leaves from the tree fell into the kettle and, as they say, the rest is history. The name ‘tea’ comes from the Chinese words Tchai, Cha, and Tay that are used to describe the drink as well as the plant. The botanical name for tea reflects its origins, Camellia Sinensis, roughly translated as Chinese camellia; Camellia is the plant family to which tea belongs.

PROCESSING

Tea production begins on the plantation, where leaves are still harvested by hand in the traditional way. There are some areas of the world where the harvesting is mechanized. However, because most teas are grown in difficult high altitude terrain, in addition to various other reasons, machines are not practical for most plantations.

Tea bushes are carefully pruned for three years. This produces a nice growth of “flush”. “Flush” is the term used to describe the tender new leaves that are used to make tea. The plant continues to be pruned throughout its lifetime to ensure a steady growth of usable flush. Depending upon the climate, tea is harvested two or three times a year – and sometimes year-round.

Once the leaves arrive at the factory, most will go through a four stage process. The first stage is known as withering. The leaves are spread out to wither or dry, in order to remove as much moisture as possible from the leaves to make them more pliable. In most factories, this is accomplished by spreading the leaves out in the sun or in large trays made of netting or fine wire mesh, called withering racks. They are dried either in an open air shed by natural breezes or by forced cool air. This stage can take eighteen to twenty-four hours.

From the withering racks, the now softened green leaves move into the rolling machines. These machines break and twist the leaves, breaking up their cell walls, allowing the juices to be exposed to the air and cutting the leaves into marketable sizes. This is the beginning of the oxidation (or fermenting) of the tea, and the first important chemical change to occur. This step leads to the development of the essential oils that give the tea its flavor.

This chemical change continues and matures in the oxidation room. The tea leaves are spread out on a flat surface, usually on a tile or cement floor, in a cool damp room. As a result of increased oxidation, after two to three hours, the leaves will turn the color of a bright new penny.

In the fourth and final stage, the tea progresses to the driers. Here it is dried by hot air to arrest the oxidation process and seal in the tea flavor. Almost all the remaining moisture is removed during the drying, which also serves to preserve the tea and keep it from getting moldy. At this point, the tea has assumed its characteristic black-brown color.

The above steps are typical for the production of black tea. This is the type of tea that most Americans drink. Green tea is made from the same leaves used in black tea; however, green tea skips the withering step and is instead immediately steamed. This keeps the leaves from oxidizing so they remain green. Oolong tea represents a compromise between black and green. In oolong, the leaves are allowed to oxidize only partially, turning a brownish-green color. Another type of popular tea is white tea, which is oxidized even less than green tea.

After drying, the tea must be graded. Tea grades are based on size, not quality. The leaves pass through sifters of various sizes to determine the grade. If the leaf is too large to fit through any of the sifters, it is sent back for additional rolling. It is interesting to note that the designation “Orange Pekoe” (pronounced peck-oh) seen on many packages of tea is actually nothing more than the basic grade for black tea. Pekoe is a Chinese term used to describe the tea buds. One explanation for the “orange” in the name is that it refers to the House of Orange from the Netherlands, a major player in the tea trade in the old days.

After grading and sorting, the tea is packed in crates and shipped worldwide to wholesalers and distributors. High-end tea will be sold loose or by the box. The mid- and lower-end tea is made into tea bags or instant tea.

TEA VARIETIES

Scented Teas: Genuine scented teas, such as Jasmine or Rose Congou, are made by forcing hot air over jasmine or rose blossoms that have been layered on top of the finished tea. This imparts the scent of the flowers to the tea, which also influences the taste. The dried out petals are then mixed in with the tea for visual effect. This scenting process does not present us with any kashrus problems. Other teas of this type are Magnolia and Orchid.

One of the most famous scented teas is Earl Grey. The second Earl Grey of England picked up the original formula for this tea while on a diplomatic mission to China, back in the early 19th century. True Earl Grey employs bergamot oil sprayed onto the finished tea to achieve its unique flavor. Bergamot is a pear-shaped citrus fruit grown in southern Europe. Bergamot oil is a member of that group of fruit oils known as essential oils, which are derived from the fruits through pressing and distillation. Based on broad experience and knowledge of industry practices, oils of this type are considered kosher even when not certified as such. Other oils in this category, used widely in the food industry, include orange, lemon, and lime oil. Earl Grey tea that lists bergamot oil as an ingredient, with no additional flavors, would be acceptable even without a kosher certification.

Flavored Teas: Flavored teas, both regular and herbal, are processed in the same way. After placing the leaves in a rotating drum, the liquid flavor is sprayed directly onto the product. The procedure is done at room temperature, so there are usually no equipment problems from the perspective of kashrus. The one equipment issue that does occasionally arise is that the company
may be using non-kosher flavors for non-certified teas on the same equipment. As long as the flavors are not compatible with the kosher flavors being used, this is not a problem. This is because the company has no interest in having divergent flavors mixed with each other, and they are careful to clean in between runs. As previously mentioned, however, the process is cold, a cleanup is sufficient to prepare the flavor drum for kosher production. The major question we are faced with is the kashrus of the flavorings.

Food flavor chemicals represent one of the most challenging areas in kashrus. Since ingredients for flavors are derived from a myriad of sources, any product containing either natural or artificial flavorings requires certification. Flavored teas are no exception. STAR-K certification requires its mashgichim to make frequent unannounced visits to check on the kashrus of all flavored teas. 

Dairy Tea: One important issue to keep in mind when purchasing flavored teas is to make sure to check if the product is certified Pareve or Dairy. There are several flavored teas on the market now that are reliably certified, but they are dairy. Since many people typically think of tea as a pareve beverage, they have become accustomed to drinking it with dairy or meat. Obviously, a dairy tea mistakenly consumed as a pareve tea can present several problems i.e. the kosher status of one’s dishes, drinking it with or after a meat meal, and issues pertaining to cholov Yisroel.

Tea Bags: Traditionally, tea was brewed loose. In the early twentieth century, Mr. Thomas Sullivan of New York began selling coffee and tea in small silk bags that customers would place directly into boiling water. Eventually, paper replaced the silk. Today, after the tea is flavored in the factory (or in the case of non-flavored tea, after removal from the packing crates), it is placed in tea bags or smaller boxes for retail sale. There are no kashrus concerns regarding flavored tea bags.

Herbal and Medicinal Teas: Popular herbal teas include Chamomile and Mint Teas. Echinacea tea is a well known medicinal. Generally made from dried herbs, leaves, and roots, they are intrinsically kosher and do not need to be certified. Herbs are typically dried on dedicated equipment in dedicated processing facilities, by having warm air blown over them.

The above is true for herbals and medicinals that are simply dried herbs. However, if additional ingredients such as flavors have been added, they would need to be reliably certified. One of the most popular brands of tea, “Celestial Seasonings,” has many herbal and regular teas that have been certified by STAR-K since the mid-1980s.

Iced Tea: Most historians credit American tea plantation owner, Richard Blechynden, for inventing iced tea at the 1904 World’s Fair in St. Louis. Trying to get fair goers to sample his hot tea on one of the hottest days of the year was no easy feat for Mr. Blechynden. Consequently, the enterprising businessman dumped a load of ice in his tea, after removal from the packing crates, it is placed in tea bags or smaller boxes for retail sale. However, the collective mashgiachim agree this is not kosher certified. However, this is not the case. This is because the collective mashgiachim agree this is not kosher certified. This is certainly the case with flavored teas and decaffeinated teas, where there are actual known ingredient issues that are potentially problematic for Pesach.

Another issue with potential Passover ramifications has recently come to light. While inspecting a large tea manufacturer in New England, a reliable mashgach discovered that some batches of green and white teas were contaminated with gluten. This was especially true of teas grown and imported from China. Investigations revealed that the Chinese manufacturers were either adding gluten to the tea leaves to help arrest the oxidation process during the drying stage of production, or possibly producing the tea on equipment that was also used for gluten. In either case, a surprise source of chometz problems for Pesach had been identified, not to mention a potential health issue for those who suffer from celiac disease.

Extensive testing of several nationally known brands of green tea was conducted, and half the samples tested positive for presence of gluten. Admittedly, the amounts detected were quite small and would be tol” according to halacha. Even so, these findings raise a red flag indicating re-examination of our previous assumptions about the permeability of certain innocuous products, such as unflavored...
Q: I am traveling, and there is no *kelim milvah* in this area. May I *tovell* new utensils in a lake or river?

A: Metal, glass and glazed ceramic utensils which are purchased from a non-Jew and are used in the preparation and consumption of food require *tevilah* before use. A person may *tovell* utensils in “spring water” - water that flows naturally from under the ground. If a river has such water as its source, he can *tovell* his utensils in the river. The river must contain at least forty *se’ah* of water, which calculates as 175 gallons of water. An ocean or sea is halachically considered to be “spring water,” therefore, a person may *tovell* utensils in an ocean, sea, or river which has such water as its source. However, regarding a river which has “spring water” as its source, if it has recently rained so heavily that there is a possibility that there is more rain water (and rain water runoff) than spring water present in the river, he cannot *tovell* utensils at that time.

A person may *tovell* utensils in a naturally occurring lake or a man-made lake which has naturally filled with rain water. As with spring water, the lake must contain at least 175 gallons of water. However, there is a major difference between *tevilah* in spring water and *tevilah* in a lake. Although *tevilah* in spring water is permissible when water is flowing, *tevilah* in a lake is valid only when the water is stagnant.

It is common for lakes to have drainage pipes in order to prevent water from overflowing when it rains. When water is draining through those pipes, the water above the pipes is not stagnant; whereas, the water below the pipes is stagnant. If there are 175 gallons of stagnant water below the pipes, a *Sefare* may *tovell* his utensils in all the water in the lake, including the water above the pipes. However, an *Ashkenazi* cannot *tovell* his utensils in any of the water in the lake, including the water below the pipes.

A person may not *tovell* utensils in a man-made lake which had been filled with water that was piped in from a nearby water source. It can be hard to find out how a lake was filled, and difficult to ascertain that no drainage is taking place, so a person should avoid performing *tevilas kelim* in a lake without first investigating these issues.

To summarize: A person may *tovell* utensils in an ocean or sea. If it has not rained heavily recently, he may also *tovell* utensils in a river which has a sea as its source, or a river which flows naturally from under the ground. He should not *tovell* utensils in a lake without first investigating how it was formed; an *Ashkenazi* would need to investigate the drainage issues, as well.

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**The Kashrus of Tea – WITH NO STRINGS ATTACHED!**

CONTINUED FROM PAGE 5

Tea. STAR-K policy regarding this issue has been to maintain our previous requirement of Kosher for Passover certification on tea.

**SHABBOS**

Since many people enjoy their tea on Shabbos, it would be appropriate to briefly mention the do’s and don’ts of tea preparation on Shabbos. One should not use tea/herbal bags or loose teas on Shabbos. This is because tea is part of that group of foods known as *huley habitul* or easily cooked foods. These foods are considered so sensitive to heat that they will cook under circumstances at which other foods will not.

Therefore, the only way to enjoy tea on Shabbos is to prepare tea essence before Shabbos. The common practice is to make a very strong cup of tea prior to Shabbos by using several bags and pouring boiling water over them. It is preferable to remove the bags before Shabbos. This essence can then be added to a cup of hot water (kli sheini) on Shabbos. The preferred method, however, according to Rabbi Moshe Heinemann, shita, Rabbinic Administrator of the STAR-K, is to place several bags into a pot of water and actually boil them up on the fire prior to Shabbos. This essence, minus the bags, can be stored in a cup and added to hot water.

Alternatively, you may want to use instant tea on Shabbos. When using instant tea or coffee, the preferred method is to add the tea to the hot water (kli sheini), and not vice versa.

We can say that, for the most part, tea remains one of life’s simple pleasures that can be enjoyed comfortably by the kosher consumer. But remember, tea is no different than many other foods – from a kosher perspective, the simpler the better. Once you venture out into the world of more complex tea products, proceed with caution… to avoid ending up in hot water!

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1. Shiloach, 554, 10
2. Shiloach, 553, 10
3. Shiloach, 553, 11
4. Shiloach, 553, 11
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11. Shiloach, 553, 11
12. Shiloach, 553, 11
13. Shiloach, 553, 11
NEW UNDER STAR-K KOHER CERTIFICATION

CONSUMER PRODUCTS

(only when bearing Star-K symbol)

AHOLD USA INC., TACO DIVISION
Queens, MA
TORTILLAS/TACOS

AMPHORA INTERNATIONAL OLIVE DIVISION
Lake Forest, CA
OLIVE OILS

CASTLE IMPORTING, INC.
Fantasia, CA
OLIVE OILS

CHINA MEHADRIN, SURIMI DIVISION
Brooklyn, NY
FISH PRODUCTS

COLTRADE INTERNATIONAL
SOUTH AFRICA
FRUIT (CANNED)

CORRADO’S MARKET
Clifton, NJ
COFFEE

COUNTRY FRESH
Houston, TX
FRUIT (FRESH PACKAGED); VEGETABLES (FRESH)

DELIGHTFULLY SWEET
Baltimore, MD
CAKE & PASTRY PRODUCTS; COOKIES (SPECIALTY)

EBARS
Franklin, TN
ORGANIC PRODUCTS; SPORTS & NUTRITIONAL BARS

ECO-FARMS PTY, LTD.
AUSTRALIA
COCONUT PRODUCTS

GOLDEN GROVE, INC.W
Warsaw, NC
NUTS & SEEDS

GUS SCALFANI CORPORATION
Huntington, CT
SAUCES & DIPS

HEALTHY ORIGINS
Pittsburgh, PA
ENZYMES

HEALTHY VERDICT
Las Vegas, NV
OLIOLS/OILS

IGA USA, INC.
Chicago, IL
VEGETABLES (CANNED)

KOSHER DEPOT BROADWAY, LLC
West Babylon, NY
CHEESE

LIBERTY FOODS
SOUTH AFRICA
FRUIT (CANNED)

NEW CITY FARM
SOUTH KOREA
COCONUT PRODUCTS

NORTHEAST MARKETING
Lakeville, MA
FRUIT (CANNED)

POLINIZACIONES
COSTA RICA
HONEY

PORT ROYAL SALES, LTD.
Woodbury, NY
FRUIT (CANNED)

PORTILLAS
San Diego, CA
TORTILLAS/TACOS

RALEY’S BRAND
West Sacramento, CA
COFFEE

RO/JET
College Point, NY
FRUIT (CANNED)

SAMSUNG ELECTRONICS
Sanho Domingo, CA
KITCHEN APPLIANCES (SABBATH COMPLIANT)

SHOPPERS DRUG MART
FRUIT BAR & FRUIT TWIST DIV.
CANDY & CONFECTIONERY ITEMS

SIGNATURE SPRINGS
Serna Park, MD
WATER

SPARTAN STORES DISTRIBUTION, LLC
Grand Rapids, MI
ICE CREAM CONES

SPROUTS FARMERS MARKET
Phoenix, AZ
BREAD PRODUCTS

SUNNY DELL FOODS
Oxford, PA
VEGETABLES (CANNED)

TARGET CORPORATION
Minneapolis, MN
FRUIT (CANNED)

TOPO ASSOCIATES
RICE & QUINOA DIVISION
Shaker, IL
QUINOA, RICE

WRAP2GO, LLC
Silvert Spring, MD
CATERED/PREPARED FOODS

INDUSTRIAL/INSTITUTIONAL PRODUCTS

(see letter of certification)

ACCELERATED FREEZE DRYING CO.
INDIA
FRUIT & VEGETABLES (DRIED)

ACENORCA S.C.L. 2º GRADO
SPAIN
OLIVES

AGROPECUARIA ESLOVAQUIA
GUATEMALA
FRUIT BLENDS/PUREES

ALKALOIDS CORPORATION
INDIA
HERBAL EXTRACTS

AMINO LIFE BIOTECH
CHINA
AMINO ACIDS

ARICHA TRADING CO., LTD.
INDIA
FLOUR & GRAIN PRODUCTS; NUTS & SEEDS; SPICES & SEASONINGS

AXEL CHRISTIERNSSON INT'L AB
FRANCE
LUBRICANTS

BAKINGO LIU KURUMYEMISCILIK TARIM URUNLERI
TURKEY
FRUIT (DRIED)

CHEMTREAT, INC.
Glen Allen, VA
DETERGENTS & CLEANSERS

CHENEY BROTHERS
Soup Base Division
Riviera Beach, FL
SOUP & SOUP MIXES

COUNTRY FRESH
Houston, TX
FRUIT (FRESH PACKAGED); VEGETABLES (FRESH)

DEBO INTERNATIONAL CO., LTD.
Earth City, MO
FOOD CHEMICALS

DENALI INGREDIENTS
New Berlin, WI
BAKING MIXES

HANEL SOYTECH
INDIA
SOY PRODUCTS

HULUNBEIER NORTHEAST FUFENG BIOTECH
CHINA
AMINO ACIDS; FOOD CHEMICALS

INDUSTRIAL SUPPLY IMPORT SRL
DOMINICAN REPUBLIC
VITAMINS & NUTRITIONAL SUPPLEMENTS

JIANGSU ZHONGJI LAMINATION
Muneca Valley, CA
PEA PROTEIN

KW FOOD GROUP, INC.
Brooklyn, NY
MEAT/POLYMERPACKING-MEAT/POLYMERPROCESSOR

LIAN YUNGANG TIANLE FOOD CO., LTD.
CHINA
FRUIT & VEGETABLES (CANNED)

MAIDEN BIOLOGY GROUP
CHINA
AMINO ACIDS

MINBO MEIAO INTERNATIONAL TRADING
CHINA
TEAS

OLEA CAPITAL SLE1
NORISCO
OLIVE OILS

POLINIZACIONES
COSTA RICA
HONEY

PORTILLAS
San Diego, CA
TORTILLAS/TACOS

PRIME PRODUCTS INDUSTRY CO., LTD.
THAILAND
FRUIT (CANNED)

QINGDAO BNP CO., INC.
CHINA
HERBAL EXTRACTS; SPICES & SEASONINGS

SCHREIBER FOODS INT’L
PINEAPPLE DIVISION / RICE DIVISION
Upper Saddle River, NJ
FRUIT (CANNED); RICE

SMC NUTRACEUTICALS, INC.
SOUTH AFRICA
HERBAL EXTRACTS; NUTRITIONAL SUPPLEMENTS

SUZHOU EVERFORTUNE IMPORT & EXPORT
CHINA
ACIDS & ACIDULENTS

SYSCO CORPORATION, RICE DIVISION
Houston, TX
RICE PRODUCTS

THAI AGRI FOODS
THAILAND
COCONUT PRODUCTS

ULINE
Pleasant Prairie, WI
PAN LINERS

UNIVAR USA, INC.
Kansas City, MO; Lemont, IL; Nortronics, GA;
Omaha, NE; Savannah, GA
DETERGENTS & CLEANSERS

UNIVERSAL FOOD PUBLIC CO., LTD.
THAILAND
FRUIT & VEGETABLES (CANNED)

VAN MEEUWEN SMEERTECHNIJKE B V
HOLLANDS
LUBRICANTS

V&D FLAVOURS & FRAGRANCES
INDIA
ESSENTIAL OILS & OLEORESINS; FOOD COLORS

WEIFANG XINSHENG FOOD CO., LTD.
CHINA
HERBS; VEGETABLES (FRESH & FROZEN)

WUHAN AMINO ACID BIO-CHEMICAL
CHINA
AMINO ACIDS

WUHAN ZONECHEN NATURAL PRODUCTS
CHINA
NUTRITIONAL SUPPLEMENT

YOOU COUNTY TUYUAN INDUSTRIAL
CHINA
FRUIT (DRIED); VEGETABLES (DRIED)

ZHEJIANG HUANGGUIAN FOOTSTUFF
CHINA
FRUIT (CANNED)

NEW UNDER STAR-D

(only when bearing Star-D symbol)

The Star-D is a kosher symbol of the National Council of Young Israel (NCYI). The Star-D, in its relationship with the NCYI, administers the koshering of the Star-D. All Star-D products are dairy (cholov stam) or pareve (cholov Yisroel).

MAGDOULLAG’S IRISH VICTORY CAKES
Mahwah, PA
CAKE & PASTRY PRODUCTS

ESTABLISHMENTS

DIAMOND DIARY CAFÉ
2-3 W 47TH Street
New York, NY 10036
RESTAURANT/TAKE-OUT

Leadership in Kashrus Education
WHAT’S NEW AT THE STAR-S?

The recently launched STAR-S program for Sephardim was lauded not only for providing Mehadrin rice and frozen beans this past Pesach, but also for answering hundreds of consumer questions around the clock.

STAR-S is now working to provide for the year-round needs of the Sephardic community. Bishul Beit Yosef L’Sephardim Surimi for Sushi was produced for the China Mehadrin brand, in addition to a full line of hummus and salatim from Israel which is in the works.

Furthermore, canned vegetables – including potatoes – have been accepted for certification. Rav Emanuel Goldfeiz shli’ta is working alongside the gedolei hasephardim in the U.S. to ensure that STAR-S protocols meet the requirements of the entire community.

Due to a strong demand, certification will be provided for STAR-S Chalak Beit Yosef L’Sephardim beef and veal. This will pave the way for Sephardic-approved catering and restaurants.

Last but not least, Pesach production of STAR-S P KITNIYOT products has already been planned. For more information, or to apply for STAR-S certification, please call 410-484-4110 ext 217 or email rabbiholland@star-k.org.