### Opening Up A Can of Worms: The Anisakis Controversy

RABBI TZVI ROSEN
EDITOR, KASHRUS KURRENTS

**Toloynim** - the name strikes fear in the hearts of the G-d fearing balabusta. It seems that toloynim 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.\(^1\)

It is remarkable that Shlomo Hamelech’s wise statement, "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 toloynim 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.

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According to the literal explanation of the Shulchan Aruch, if a parasite that is microscopic in size finds its way into the host’s flesh and begins to grow, the parasite is considered a muttar (permitted) as long as it is not seen by the eye. However, if the parasite is seen by the eye, it is considered assur (forbidden).

### Kosher Certification:
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
The halachic community has found that the fish is forbidden unless it has been checked. They feel that the fish is forbidden, and was assumed to be in the flesh of the salmon even though it was spotted on the status of 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 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 "fish," even though it was spotted in the flesh of the salmon and was assumed to be permitted, would in fact be forbidden.

Anisakis is a question not new but has recently caused quite a stir in the halachic community. The geolei haaposkim in Eretz Yisroel, Rav Elyashiv shlit"a; Rav Wozner, shlit"a; Rav Nisim 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 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 anisakis. 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.

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1 YD 84:85, Aruch Hashulchan YD 84:80, Chulam 678
2 YD 84:84, Aruch Hashulchan YD 84:80, Chulam 678
3 YD 84:16, Aruch Hashulchan YD 84:80, Chulam 678
4 YD 84:89, Aruch Hashulchan YD 84:80, Chulam 678
5 YD 84:16, Aruch Hashulchan YD 84:80, Chulam 678
The following 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.

### 7-Eleven Slurpee List*

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

The following 7-ELEVEN SLURPEES ARE KOSHER PAREVE UNLESS OTHERWISE INDICATED:

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- 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.
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 does 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. 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 it is—and more importantly, what’s not—in your food.”
NEW UNDER STAR-K KOSHER CERTIFICATION

CONSUMER PRODUCTS

(only when bearing Star-K symbol)

ADI APICOLTURA SRL
ITALY
HONEY

AFTC TRADING & WHOLESALE
Los Angeles, CA
TOFU PRODUCTS

ALDI, INC.
Batavia, IL
NUTS & SEEDS

ALOHA MEDICINALS, INC.
Carson City, NV
VITAMINS, SUPPLEMENTS & NUTRITIONALS

AQUA CARE
Hendersonville, TN
VITAMINS, SUPPLEMENTS & NUTRITIONALS

BOUNDLESS HARVEST
Houston, TX
VEGETABLES (CANNED)

BRASSICA PROTECTION PRODUCTS LLC
Baltimore, MD
TEA

CAFÉ MOTO
San Diego, CA
COFFEE; ORGANIC PRODUCTS; TEAS

CANDLE LAMP COMPANY
Riverside, CA
CANDLE FUEL

CATOCTIN CREEK DISTILLING
Punxsutawney, PA
ALCOHOL

CBL NATURAL FOODS
SW LAKIA
FRUIT (CANNED; DRIED); FRUIT BLENDS/PUREES

COMMON MARKET
Frederick, MD
DAIRY PRODUCTS

CONSOLICIO PERU MURCIA
PERU
VEGETABLES (CANNED)

COSMOPILOTAN FOOD GROUP, INC.
Jersey City, NJ
OILS/OILY OILS

COSTCO WHOLESALE CORP.
Issaquah, WA
TORTILLAS/TACOS

DAIRY FRESH FOODS, INC.
Taylor, MI
FRUIT (CANNED); FRUIT BLENDS/PUREES

DELIGHTFUL FLAVOR, LLC
Rosedale, NY
CAKES & PASTRY PRODUCTS

EUROTRADE IMPORT-EXPORT, INC.
CANADA
PICKELED PRODUCTS

FRESH & EASY NEIGHBORHOOD MARKET
El Segundo, CA
RICE

GALDIA
MEXICO
NUTS & SEEDS

GEOBREES
GREECE
FRUIT (DRIED)

GUANGXI HEZHOU DACHENG FOODSTUFFS CHINA
VEGETABLES (CANNED)

HY-VEE, INC.
West Des Moines, IA
RICE

IMFOOD, LTD.
Brooklyn, NY
PASTA PRODUCTS; PICKELED PRODUCTS; SUNFLOWER VEGETABLES (DRIED); WINES

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, CA
BEVERAGES & DRINK MIXES

ONEOUP LIFESCIENCE LTD.
HONG KONG
OILS/OILY 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

TEECINO CAFFE, INC.
Santa Tebas, CA
TEAS

THE SUN VALLEY RICE CO.
Arbuckle, CA
RICE

UNIVERSO FOOD
MOROCCO
VEGETABLES (CANNED)

UNIVERSAL WELLNESS
Somerset, NJ
VITAMINS, SUPPLEMENTS & NUTRITIONALS; WATER

VICTORIA PACIFIC TRADING
Rowland Heights, CA
VEGETABLES (CANNED)

VIRITO ULTRACONGELADOS
SPAIN
VEGETABLES (FROZEN)

ZEE-NEF FOODS LTD. STI.
TURKEY
VEGETABLES (DRIED)

INDUSTRIAL/ INSTITUTIONAL PRODUCTS

(see letter of certification)

AGRO SOLVENT PRODUCTS INC.
SOY PRODUCTS

ANHUI DANGSHANG XINQIA CANNED FOODS FRUIT (CANNED); VEGETABLES (CANNED)

ANHUI JINJINBANG MEDICINE CHEMICAL CHINA
INDUSTRIAL CHEMICALS

ARIES CHEMICAL INC.
Beaver Falls, NY
DETERGENTS & CLEANSERS

ARKAS MELISSOKOMIKI CH. BASILIOPOULOS K. STAMATOPULOS GREECE
HONEY

BEIJING LYS CHEMICALS CO.
CHINA
FLAVOR CHEMICALS

BERGWERF ORGANIC INDIA
SPICES & SEASONINGS

BLUE PLANET
Naperville, IL
FRUIT (CANNED)

CIRANDA, INC.
Hudson, WI
OILS/OILY OILS; STARCH

COSMOSOLITAN FOOD GROUP, INC.
Jersey City, NJ
OILS/OILY OILS

CUSTOM GRANULAR, INC.
Geneva, CA
GRANULATION

DEGEN, INC.
Visalia, CA
BAKERY SUPPLIES

ENZO CHEM LABORATORIES INDIA
ENZYMES; SOY PRODUCTS

GALDISA
MEXICO
NUTS & SEEDS

GEOBREES
GREECE
FRUIT (DRIED)

GOLDEN TIME CHEMICAL CO., LTD.
CHINA
SWEETENERS

GORDON FOOD SERVICE
Grand Rapids, MI
PLASTIC PRODUCTS

HUNAN HUAYUAN PLANT BIOCHEMISTRY CHINA
HERBAL EXTRACTS

HIUBI KANGYU FINE CHEMICALS HI-TECH LTD.
CHINA
PHARMACEUTICALS

HUSON DONGTING CITRIC ACID CHEMICALS CHINA
CITRIC ACID/CITRATES

INTERNATIONAL AGRICULTURAL PROCESSING INDIA
PICKELED PRODUCTS

ISI BRANDS, INC.
American Fork, UT
VITAMINS, SUPPLEMENTS & NUTRITIONALS

J.J. PRIESTLEY FOOD INGREDIENTS YANGCHENG CHINA
VEGETABLES (DEHYDRATED; DRIED)

JETRO CASH & CARRY/RESTAURANT DEPOT
College Point, NY
FRUIT (CANNED)

JINING AXOING STEVIA PRODUCTS CHINA
SWEETENERS

JRS INTERNATIONAL INC.
Lynnchun, NH
SWEETENERS

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

LINXY YASHENG FOOD CHINA
FRUIT (CANNED); VEGETABLES (CANNED)

MIVILA FOODS
Patterson, NJ
BEANS; VEGETABLES (CANNED)

MURUTZA FOODS INDIA
VEGETABLES (DEHYDRATED)

NEIMENGU FUENG BIOTECHNOLOGIES CHINA
AMINO-ACIDS; FOOD CHEMICALS; FOOD GUM

OLEOSTEPA, S.C.A.
SPAIN
OILS/OILY OILS

ONEOUP LIFESCIENCE LTD.
HONG KONG
OILS/OILY OILS

ORCANEL ORGANIC, LLC
Beverly Hills, CA
FRUIT (DRIED)

OTTO BREHM, INC.
Yonkers, NY
FLAVORS & EXTRACTS

PARRY PHYTOREMEDIES INDIA
VITAMINS, SUPPLEMENTS & NUTRITIONALS

POST PHARMACEM INDIA
ACIDS & ACIDULANTS; CITRIC ACID/CITRATES

PYURE BRANDS, LLC
Naples, FL
SWEETENERS

QUINTI INTERNATIONAL
Kingwood, TX
ENZYMES

QINGDAO CANNED FOODS CO., LTD.
CHINA
FRUIT (CANNED); FRUIT BLENDS/PUREES; PICKELED PRODUCTS; VEGETABLES (CANNED)

SANTAI AOSTAR PHOSPHATE CHEMICAL INDUSTRY CHINA
PHOSPHATES

SCHUMANN/STEIER, INC.
Coal Gables, FL
OILS/WHITE OILS

SHANGHAI MINGRIU IMPORT & EXPORT CO., LTD.
CHINA
TEAS

SHENJIA MINGRIU IMPORT & EXPORT CO., LTD.
CHINA
TEAS

SHIRCHAKRA UDYOG INDIA
SPICES & SEASONINGS

TEXAS KOSHER MEATS
San Benito, TX
MEAT/Poultry PACKING

UNICHEM ENTERPRISES, INC.
City of Industry, CA
HERBAL EXTRACTS

UNIVERSAL FOOD MOROCCO
VEGETABLES (CANNED)

VIRITO ULTRACONGELADOS SPAIN
VEGETABLES (FROZEN)

WEIFANG SUNRAISE PLASTIC PRODUCTS CO.
CHINA
PLASTIC PRODUCTS

ZHEJIANG POLINOL BIO-TECH CHINA
HERBAL EXTRACTS

NEW UNDER STAR-D

(only when bearing Star-D symbol)

The Star-D is a kosher symbol of the National Council of Young Israel (NCIY) in its relationship with the NCIY, it administers the kosher of the Star-D. All Star-D products are dairy – cholov stim (non-chalav Yehuda)

5TH AVENUE CHOCOLATE
Valleymere, NY
CHOCOLATE PRODUCTS

ALDI, INC.
Batavia, IL
NUTS & SEEDS

AQUA CARE
Hendersonville, TN
VITAMINS, SUPPLEMENTS & NUTRITIONALS

COMMON MARKET
Frederick, MD
DAIRY PRODUCTS

DELIGHTFUL FLAVOR, LLC
Rosedale, NY
CAKES & PASTRY PRODUCTS

NATURE'S FIRST, INC.
Orange, CT
BEVERAGES & DRINK MIXES

ESTABLISHMENTS

(see letter of certification)

FAN CATERING, LLC
1075 Ocean Parkway
Brooklyn, NY, 11220
CATERING

CAFÉ K-STRICKLAND
61-65 Ackland Avenue
Brooklyn, NY, 11234
RESTAURANT/TAKE OUT

LEGENDS HOSPITALITY
Yankee Stadium
1 East 161st St.
Bronx, NY 10451
RESTAURANT/TAKE OUT
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. 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. 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. 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. The Shulchan Aruch accepts this view and unequivocally states that bishul akum applies even in the house of a Jew.

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. 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. 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.

3. The Ramban writes that the prohibition does not apply to food cooked by the shifcha or eved of a Jew. 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. 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.

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 avadim 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, 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.

The Geida 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.

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. 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. 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. 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 bisul al album is that it applies only to foods which are oleh al shulchan malochim (served at prestigious meals). Here too, the cooking by a koton is not believed to have performed an action which is a derabonon obligation, and the preparation of foods which are not Oleh al shulchan malochim; they are eaten only by poor people who cannot afford better food. 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 bisul al album would apply to a baked potato.

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 koshered. 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 al album, 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.

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 states that teivlas keilim can be performed by a koton, as long as a godol is present to ascertain that the teiva was performed correctly. However, a koton who claims to have performed teivlashehis not relied upon without verification by a godol. The Terumas Hadeshen explains that the koton is not relied upon because teivlas heilim is a deoraisa obligation, and a koton is not believed to have performed an action which is a chiyuv deoraisa. The Shulchan Aruch and Rema pasken in accordance with the Terumas Hadeshen.

Reb Ahiva Eiger quotes the Pri Chadash as stating that only the teivlah of metal keilim is a deoraisa obligation, but the teivlah of glass keilim is a derabonon obligation. Reb Ahiva 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 deoraisa obligations, but a koton would be believed regarding a derabonon obligation.

However, Reb Ahiva Eiger adds that there is an opinion in Tosefos 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 teivlas heilim.

A similar issue to this is whether a koton can be relied upon to perform bedihas 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 bedihas chometz in order to verify that he has no chometz in his possession. The Shulchan Aruch paskens that a koton is believed to have performed bedihas 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 bedihas 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 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 bedihas 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 bedihas chometz on behalf of another person.

As previously mentioned, the Shulchan Aruch paskens that a koton is believed regarding bedihas chometz. However, the Mishna Berura 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. However, this is certainly not a deoraisa obligation, and is also not a laborious activity. 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 derabonon 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, 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 activity. 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 Piskei 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 teivlah the utensil has a chazakah of being osur 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’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.

Royal Farms Frozen Beverages

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

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

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

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.

Phone: (410) 484-4110
Fax: (410) 653-9294
E-mail: info@star-k.org
www.star-k.org

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To receive an email when it is available online subscribe at kashruskurrents-subscribe@star-k.org.

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.

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