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The Sweetest Fruit of them all

RABBI TZVI ROSEN, EDITOR



Unbelievable but true.

Overheard conversation between Mother and a precocious seven year old at a typical supper table...

"Now dear you must eat your fruits and vegetables!"

"I just finished a delicious double portion."

"Great what did you eat?"

"A yummy chocolate bar."

Chocolate is surely nature's sweetest combination of fruit and vegetable, sugar and cocoa beans. Chocolate, the king of confections, continues to grow in popularity. Kosher chocolate is a delicious study of technology and *halacha*. Let's explore the intoxicating world of chocolate.

King David, *Dovid Hamelech*, extols Hashem's acts of loving kindness by proclaiming metaphorically that he desires to drink from "Your river of delight," "*minachal adonecha tashkeim*." What is a river of delight? Let me give you a first-hand explanation. Before Hershey Park built Chocolate World, tourists were treated to a tour of authentic chocolate-making. Clearly etched in my childhood memories was a delicious river of chocolate cascading into a chocolate-fall of millions of Hershey bars and Hershey kisses. It was awesome, to say the least.

Over the years, chocolate manufacturing has continued to grow both domestically and internationally. Chocolate connoisseurship has reached new heights. Believe it or not, the most expensive chocolate today costs in excess of \$90 a pound. The choco-holic delights at the sight of Belgium truffles, French bonbons, Swiss chocolate, and other chocolate bars that abound. Today, most major chocolate manufacturers in the U.S. have reliable kosher certification. Some specialty chocolate manufacturers are kosher certified as well. *Cholov Yisroel* chocolate in particular has recently seen unprecedented growth. Today a *Cholov Yisroel* consumer can feast on a Mars bar counterpart without having to compromise on taste or quality.

Chocolate raw ingredients make a long trek before becoming a familiar chocolate bar or chocolate covered cherry. The prime ingredient in chocolate is the cacao bean, which grows in many regions of the world, including Africa, Central America, and Southeast Asia. Two main varieties of trees produce cacao beans: the Forastero tree in West Africa which produces commodity quality cacao beans, and the Criollo tree, found in Venezuela and other South American countries, which produces premium quality cacao beans.

The first stage of cacao bean processing is harvesting, which may be done by machete - a slow and tedious process, or by automatic shakers that shake an entire tree free of the cacao pods. Next, the pods are cracked open and the cacao beans are

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Good Fences Make Good Home Owners

BY DR. TZVI WHITE

REVIEWED BY RABBI MOSHE HEINEMANN,
STAR-K RABBINIC ADMINISTRATOR

Home ownership, the American dream. After moving in, one hopes it doesn't turn into an American nightmare. So many things to take care of; so many things to consider. Utilities, the structure, the appliances, the list is seemingly endless. Dealing with normal home issues is hard enough, just think how many more issues have to be considered in a kosher compliant home. Kosher mezuzas on all entrances. Kosher appliances to make the kosher kitchen user friendly. No trees hanging over the backyard area where the sukkah is to be built. Moreover, does anyone realize that roofs, porches, balconies and landings have to be kosher as well? How do you make a porch kosher compliant? The answer - build a *ma'akeh*.

What is a *ma'akeh*?

The Torah states in *Parshas Ki-Setze*, "כי תבנה בית חדש ועשית מעקה לגגך..." - "When you build a



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Hot off the Hotline



RABBI MOSHE HEINEMANN
RABBINIC ADMINISTRATOR

Commerce on the Web Revisited

This article is a further clarification to the Hot off the Hotline question...

Q: On Shabbos does an observant Jew have to close a website that is selling products online?

Based on information that the Star-K received from two credit card companies, Rav Heinemann had answered that since purchases are accomplished by entering a credit card number, whereby the bank immediately transfers funds from the purchaser's account to that of the vendor, web commerce would be prohibited on *Shabbos*.

However, many of our Kashrus Kurrents readers informed us that this information is erroneous regarding weekend transactions. After much research to further clarify this issue, *Hot off the Hotline* is presenting the corrected version of how credit card business is transacted generally, and specifically how it is transacted on the weekend.

When a consumer makes a purchase by credit card on a web site, a number of steps take place before the money actually leaves the purchaser's credit card account and reaches the vendor's bank account. A consumer goes online to a web site and decides to make a purchase. Step one is for the consumer to submit his credit card number online. Almost automatically the credit card account is "checked" to see that the credit limit has not been exceeded. If this is the case, an authorization number is issued to authorize the sale. Nothing has been transferred yet. Once the sale is approved, the next step takes place - processing the sale. This means that the purchaser's credit card is debited and the vendor of the website's bank account is credited. This means that the credit cards credit line allowance is reduced and the vendor receives payment.

Credit card sales are processed by specialized companies known as "processors." Processing used to be done by the banks themselves. Today, most banks do not do their own processing. Bank of America, Wachovia and Wells Fargo still do their own processing. The job of the processor is to act as a facilitator between customer and vendor. The processor is the clearinghouse of sorts which takes the money out of the credit card account and puts it into the vendor's account. The processor usually processes a number of transactions at once. Processing a number of credit card transactions at one time is known as batching or submitting a batch report.

If you would study your credit card bill you will see two dates: the sale date and the post date. The sale date is when the sale was authorized while the post date is when the sale has been processed. Sometimes the sale and post date are the same and sometimes the post date may be a

few days later. Depending upon the business transaction procedure between the principles - the bank and the processors, processing may occur the same day, every few hours, or however they choose to arrange their system.

During a regular banking day, the sale and the post dates frequently coincide. This is not the case during the weekend. Since banks are closed on Saturday and Sunday, weekend monetary transfers do not occur until Monday when banks reopen. Even banks that offer 24 hour banking will not have the transactions actually transfer until Monday because the banking transfer system is tied into the Federal Reserve which is closed on Saturday and Sunday. In practical terms, this means that the money which was authorized from the consumer's account on *Shabbos* when he made the online sale, would not be withdrawn from the purchaser's credit card and entered into the vendor's account until Monday morning or thereafter. The same procedure holds true for purchases made with debit cards. Purchases made using Pay Pal services are delayed even longer because it takes an extra day for processing.

As was mentioned previously, authorization means that the computer checks the purchaser's credit card account and "sees" that there is credit available. However nothing passes from one account to another until the transaction is completed. Technically speaking, the vendor's monetary acquisition,

the *kinyan kesef*, happens on a weekday so there is no *issur*, prohibition of *mekach umemkar*, business sale transactions, on *Shabbos*.

There could be a potential problem when *Yom Tov* falls on a weekday because the authorization and the processing of the sale can take place on the same day. As with every transaction, the purchaser's sale is authorized immediately. If the processor completes the transaction on the same day, or if the vendor's bank does its own processing, the vendor's account will be credited on *Yom Tov*. Therefore, one may be forbidden to keep the website open on *Yom Tov*, unless there is a *pre-Yom Tov* agreement with the processor, that batch reporting would take place after *Yom Tov*. One web site designer that we contacted stated, "...yes, you can certainly accept orders over the internet and place them on hold until a certain time. We have built e-commerce sites in the past where orders are placed and the credit card is verified but not charged until someone on the 'backend' approves this."

In conclusion, a website would be allowed to remain open on *Shabbos* since payment is deferred until Monday or later. Regarding *Yom Tov* that falls on a weekday, it is recommended to design the website in such a way that payments would be deferred until the conclusion of the *Yom Tov*.

We thank our readers for their important input to help clarify this issue.

Special thanks to Shraga Feivel Mendlowitz of Diamondcard, Chris Foss of AmericanEagle.com, Chris Weir of Wachovia Bank, Mr. Charles Seigman, and Mr. Israel Senderovic for their valuable assistance.



Electronic Room Air Conditioners



Star-K is pleased to announce that in response to our suggestions, GE has modified its 2004 electronic room air conditioners so that they will now return to their default position. This means that on *Shabbos* and *Yom Tov*, the air conditioners will still function after being off due to a power outage or use with a *Shabbos* timer. Other manufacturers may have the same feature. Contact the specific manufacturer for details.

For more information, see the appliance section of our website at www.star-k.org



New Under Star-K Kosher Certification

Consumer Products (only when bearing Star-K symbol)

Blain Farms

Visalia, CA
BLAIN FARMS NUTS & SEEDS

Blue Ridge Tea & Herb Co.

Brooklyn, NY
CONSOLIDATED, KINGS RANSOM, QUEEN STATE TEAS

Brady Enterprises Inc

E. Weymouth, MA
CAKE MIXES

Crunch Pak LLC

Wenatchee, WA
CRUNCH PAK FRESH PACKAGED FRUIT

Farm Fresh Strictly Kosher Poultry

Chicago, IL
FARM FRESH POULTRY PRODUCTS

Fibernet International

Ontario, Canada
COPA JUICES

Fisher & Paykel

Irvine, CA
FISHER & PAYKEL SABBATH MODE OVEN
For guidelines and specific model numbers, see www.star-k.org.

Flavor Full Foods

Taipei Hsien, Taiwan
FOREWAY OILS

Golden Orchard Corp.

Long Island City, NY
GOLDEN ORCHARD DRIED FRUIT, NUTS & SEEDS

H&H Bagels

New York, NY
H&H BAGELS BAGELS

Hobarama Corp.

Miami Beach, FL
BAWLS BEVERAGES & DRINK MIXES

International Foods

Plymouth, MN
JAKES TRADING DRIED FRUIT

JFC International San Francisco, CA

JFC OILS

Kawasho International

New York, NY
CANNED VEGETABLES

Kirsch Mushrooms Co.

Bronx, NY
KIRSCH DRIED VEGETABLES

Liberty Gold Fruit Co.

San Francisco, CA
CANNED FRUIT

Life Science Laboratories

Lakewood, NJ
VITAMINS, SUPPLEMENTS & NUTRITIONALS

LJP & Sons Distributors

Mount Vernon, NY
DIEGO RICE PRODUCTS

Marathon Packing Corp.

San Leandro, CA
CHINA DARLING OILS

Moctec Enterprises

Lanham, MD
ANGELITA, EN NOPPALITO, LA TORTILLA, MOCTEC TORTILLAS/TACOS

Nahum Challah

Deal, NJ
NAHUM CHALLAH BREAD, CAKE & PASTRY PRODUCTS

Newark Nut Co.

Newark, NJ
NEWARK NUT CO., NUTSONLINE SNACK FOODS, DRIED FRUIT, NUTS

Norman's Dairy

Rutherford, NJ
NORMAN'S DAIRY PRODUCTS

Novalia

Tuxedo, NY
HOKAN OILS

Performance Food Group

Richmond, VA
FIRST MARK PAN LINERS

Stahmann's Farms

San Miguel, NM
STAHMANN'S NUTS & SEEDS

Tongfa Foods

Xiamen, China
REESE, TONGFA, TYLING CANNED FRUIT & VEGETABLES

Virga Pizza Co. of VA

Portsmouth, VA
VIRGA TOMATO PRODUCTS & SAUCES

Wal-Mart Canada

Ontario, Canada
GREAT VALUE OLIVE OIL

Wild Oats Markets

Boulder, CO
WILD OATS DRIED FRUIT

Wise Foods

Kennesaw, GA
WISE FOODS NUTS & SEEDS

Xiamen Day Bright Foods Co.

Fujian, China
DAY BRIGHT RICE CRACKERS, SUSHINORI

Zhejiang Xinchang Best Foods Co.

Zhejiang, China
ZHEJIANG XINCHANG BEST FOODS CANNED FRUIT

New Under Star-D



The Star-D is a *kashrus* symbol of the National Council of Young Israel (NCYI). The Star-K, in its relationship with the NCYI, administers the *kashrus* of the Star-D. All Star-D products are dairy - *cholov stam* (non-*cholov Yisroel*).

Products

Beverly Hills Fitness Group

Beverly Hills, CA
FITNESSWIZ NUTRITIONAL DRINK MIXES

Calabash Seafood Co.

Calabash, NC
CALABASH DRY MIXES

Establishments

Café 921 at the Pikes

921 Reisterstown Rd, Baltimore, MD
DAIRY RESTAURANT

Café K Manhattan

8 East 48th St, New York, NY
DAIRY RESTAURANT

Dovid Elgamil Catering

Baltimore, MD
CATERER

Elite to Go

1923 Woodbridge Ave, Edison, NJ
TAKE OUT

Industrial/Institutional Products

(see letter of certification)

Anhwei Tiger Biotech Co.

Anhui, China
VITAMINS, SUPPLEMENTS & NUTRITIONALS

Ashland Distribution Imports

Dublin, OH
CAFFEINE

At-Chem, Inc./Chemstation

Wilmington, OH
DETERGENTS & CLEANSERS

BASF Corp. Prince George, VA

INDUSTRIAL CHEMICALS

Blain Farms

Visalia, CA
NUTS & SEEDS

Brady Enterprises

E. Weymouth, MA
CAKE MIXES

Ceysan Gida

Izmir, Turkey
PICKLED PRODUCTS

Changshu Fushilai Medicine & Chemical Co.

Jiangsu, China
INDUSTRIAL CHEMICALS

Chemstation of S. Carolina

Columbia, SC
DETERGENTS & CLEANSERS

Chengdu Nabta Chemical Industrial Co.

Sichuan, China
INDUSTRIAL CHEMICALS

CONTINUED ON BACK COVER

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Good Fences Make Good Home Owners



Figure 1. The front porch of this house is more than 40 inches from the ground. Therefore, it requires a *ma'akeh* of at least 40 inches high.



Figure 2. Although this porch is more than 40 inches from the ground, there is a sturdy hedge that would prevent someone from falling more than 40 inches. Therefore, no *ma'akeh* is required.



Figure 3. This deck is less than 40 inches from the ground, and needs no *ma'akeh*.

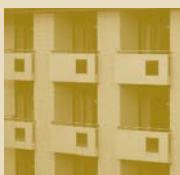


Figure 4. Each tenant in these apartments must make sure that his balcony is protected by a kosher *ma'akeh*.



Figure 5. Even if a drop-off greater than 40 inches occurs inside a home or building, it must be protected by a *ma'akeh*. In this illustration, the stairs do not require a *ma'akeh* of 40 inches, nor does the edge of the mid-floor landing require one because people just walk through this area and do not live there..



Figure 6. A flat roof which is used by the owners or tenants requires a *ma'akeh*.

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new house, then make a fence for your roof..." The object of this positive *mitzvah* is to prevent a person from accidentally falling, as the *posuk* continues, "...And you shall not put blood in your house, lest someone fall from there."

A *ma'akeh* is required at the edge of any floor that people walk on, if the floor is more than ten *tfachim* (40 inches) above the ground or above the next floor. The fence itself must be at least ten *tfachim* (40 inches) tall. Typical situations requiring a fence include:

- Balconies and many sun decks.
- Many front and back porches, whose floors are more than 40 inches from the ground. It has come to our attention that the porches on many homes in the Torah community are more than 40 inches from the ground, but the porch rails are almost never the required 40 inch height of a kosher *ma'akeh*.

Here are some pointers to observe this *mitzvah d'oraysa* (Torah law) properly:

1. You should erect any required *ma'akeh* as soon as one puts up a *mezuzah* after occupying premises. Certainly you should not wait more than 30 days.
2. The *ma'akeh* does not have to be a solid wall, but any spaces should be sufficiently narrow that a child cannot fall through. The *ma'akeh* should be sufficiently sturdy that it will hold back a person who falls against it.
3. For rented premises, it is the responsibility of the tenant, not the owner, to erect a kosher *ma'akeh* in all areas where

one is required.

4. Just before securing the last piece to complete a *ma'akeh*, make the *bracha*: "ברוך... אשר קדשנו במצותיו וצונו לעשות מעקה". However, no *bracha* is made if the space underneath the floor you are putting the *ma'akeh* around was not intended for living purposes (e.g., a front porch that just has a crawl space under it).

5. A *ma'akeh* is not required around a floor that is never used (for example, a back porch area that no one ever goes on).

6. A *ma'akeh* is not required if there are bushes or other objects below the edge of the floor that will prevent a person from falling more than ten *tfachim*. Hence, if you have a sturdy hedge around your porch, a *ma'akeh* is not required along those sections where the porch floor is less than 40 inches above the hedge.

7. A *ma'akeh* of 40 inches is not required for stairs, even for those steps more than 40 inches above the ground. (And if you have a stair rail, the conventional height of 30 inches is fine.)

The *Medrash Rabba* comments on the *posuk* in *Mishlei* "כי לית חן הם לראשק" "It is a gracious accompaniment to your head..." that the *mitzvos* that one performs throughout his lifetime will accompany and surround him on his life journey. Which *mitzvah* heads the list? The *ma'akeh*, the fence that one made on his roof. Indeed it can be said, "Good fences make good *mitzvah* insurance policies." We hope that this overview will give the reader a greater appreciation of this fundamental *mitzvah*.

Late breaking kashrus news and alerts are available on our site at www.star-k.org, or via e-mail by sending a blank e-mail to alerts-subscribe@star-k.org.

Star-K Kosher Certification



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

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The Sweetest Fruit of them all

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removed. Note that cacao beans, when processed for commercial use, will become cocoa beans. Cocoa beans are then spread out in the fields to ferment and sun dry, ridding the cocoa bean, also known as a nib, of much of its natural bitter taste and moisture. Once dried, the cocoa beans are packed in jute sacks and shipped overseas to the chocolate manufacturers for further processing.

The cocoa bean is one of *Hashem's* most dormant creations. In order for its potential to be fully realized, it requires processing to unlock the quality products contained within. The raw cocoa beans are cleaned and roasted in giant roasters - much like a coffee bean to unlock the nib's delicious cocoa flavors. The cocoa bean is then ground into a paste known as cocoa liquor, the primary ingredient of chocolate. Cocoa liquor made from premium cocoa beans is rich enough to be made into chocolate. Cocoa liquor made from standard cocoa beans lacks richness and therefore cannot be made into chocolate without the addition of cocoa butter.

What is cocoa butter? The cocoa bean has over 50% natural fat. When squeezed under enormous pressure in a hydraulic press, the cocoa bean exudes fat that is yellow in color, similar to rich dairy butter. Hence the name cocoa butter. Unlike dairy butter, however, cocoa butter is thicker, blander, and hardens at room temperature. What remains behind in this extraction process is a massive solid cake which, when ground, will be known as - you guessed it - cocoa powder. Ironically, for the chocolate manufacturer, the main commodity product is the cocoa butter, and the by-product is the cocoa powder.

Now the process of chocolate-making is ready to begin. Sugar, chocolate liquor, cocoa butter, milk powder, flavors and an emulsifier are the primary ingredients of chocolate. When these products are blended together, as we will soon see, they liquefy into liquid chocolate. Interestingly, liquid chocolate is over 50% sugar. The percentages of the other ingredients vary according to the type of chocolate being manufactured.

There are three major types of liquid chocolate: dark chocolate, milk chocolate, and white (or compound) chocolate. Dark chocolate is a combination of cocoa liquor, cocoa butter, sugar, flavorings such as vanilla or vanillin, and butter oil, a dairy ingredient not to be confused with cocoa butter. Milk chocolate has powdered milk and milk crumb, a combination of milk powder and sugar, added to the "dark chocolate" mix. White chocolate really is not chocolate

because it contains no cocoa liquor or cocoa powder, only cocoa butter. White chocolate is also known as a compound chocolate because additional vegetable fats are added to the ingredient base. All varieties of chocolate undergo three basic steps of chocolate production: kneading the ingredients into a paste, grinding the paste into semi granular particles, and blending the ingredients in a conch. Solid chocolate requires tempering as a final step to finish the product.

As any good cook or baker will tell you, there are certain tricks of the trade that set a great product apart from a good product. The trick of the chocolate trade is the blending, also known as conching. The conch is a large rotary blender that blends the chocolaty mass for hours on end at a temperature of 140°F. Depending on the recipe, the chocolate may be conched for over 12 hours in order to fully homogenize the ingredients. Lecithin, an emulsifier, is added to help blend the ingredients. Conching releases any bitter aromas and flavors in the liquefied chocolate, and allows all the remaining delicious chocolate flavors and aromas to fully mature and develop into a symphony of chocolaty taste.

If the chocolate is being sold as liquid chocolate, no further processing is required. Industrial chocolate is shipped to the manufacturing customers in a heated transport, in which a constant temperature of 112°F is maintained to prevent solidification or hardening. Customers are typically bakeries, ice cream manufacturers or candy makers who will further process the chocolate.

Solid chocolate must be tempered after conching in order to give it its luster. In the tempering process, the chocolate is heated to 113°F, quickly cooled, and slightly heated to 100°F. Now the tempered chocolate is ready to be molded into any variety of forms: large 50 pound cubes, 25-pound bars, or consumer sized chocolate drops.

With this overview, let us examine the issues that confront kosher chocolate making.

Ingredients

As with any manufactured food product, all ingredients require strict kosher certification. Mashgichim travel to cocoa bean plantations around the world, from Cemoi on the Ivory Coast to Venezuela in South America. All the additional

ingredients require kosher certification, but they are pretty straightforward.

Interestingly, ingredients used in European chocolate processing present many more challenges than in domestic chocolate production. In Europe today, genetically modified raw materials are strictly avoided. One essential product in chocolate manufacturing is lecithin, which, as previously mentioned, serves to emulsify and blend the ingredients being conched. Lecithin is made from soybeans. Nearly all soybean crops worldwide have been genetically modified. Consequently, lecithin has come under European fire.

Alternatives to lecithin were researched, and a seemingly innocuous product called ammonium phosphatide was suggested. This product itself posed no *kashrus* problems. However, the one company in Denmark that manufactures ammonium phosphatide is a totally non-kosher facility, thereby requiring a massive kosherization. Due to the need of kosher ammonium phosphatide, the company agreed to become kosher certified.

Another ingredient issue confronting the European kosher chocolate manufacturer is traced butter oil. Butter is a commodity item in Europe, meaning that butter can be sold by the government for various applications for a cheaper controlled price. Chocolate manufacturers that supply chocolate to bakeries, cookie manufacturers, and ice cream companies, could use the subsidized butter oil and would pay a reduced commodity price for this ingredient. However, chocolate manufacturers supplying chocolate to other types of companies would be charged the full non-commodity price for the butter or butter oil. In order to ensure that the manufacturer is not using the butter oil for other applications, the law requires butter oil manufacturers to put a minute amount of ingredients, called tracers, into the mixture to literally track the use of the butter oil. Some of the tracers are innocuous colors or synthetic flavors. However, others contain triglycerides that could come from animal or vegetable sources. Therefore, reliable kosher traced butter oil requires strict kosher supervision.

It goes without saying that the vegetable fats used to manufacture kosher compound chocolate must have reliable kosher certification because these vegetable fats can be produced in the same facilities as tallow or lard.



The Sweetest Fruit of Them All

Kashering a Conch

What is the greatest nemesis to chocolate? Just ask any balabusta who uses melted chocolate in homemade recipes. Water, when mixed with chocolate, even minimally, causes the chocolate to solidify almost instantaneously into a solid block that can't be remolded! Consequently, chocolate manufacturers passionately avoid the introduction of water into their facilities at all costs. Recognizing this problem, how do kosher chocolate manufacturers overcome the issue of compatible conches that may be used indiscriminately for pareve and dairy chocolates without using water?

One possibility is to dedicate conches exclusively for dairy and pareve productions. This method is used in certain chocolate production facilities because sufficient amounts of both pareve and dairy products are manufactured to justify the separation. However, many companies do not keep their conches separate. Furthermore, there are companies that produce *cholov Yisroel* chocolate for this growing market. Since these products are made in non-*cholov Yisroel* facilities, the non-*cholov Yisroel* conches would require kosherization. How can the conches be *kashered* without the introduction of water?

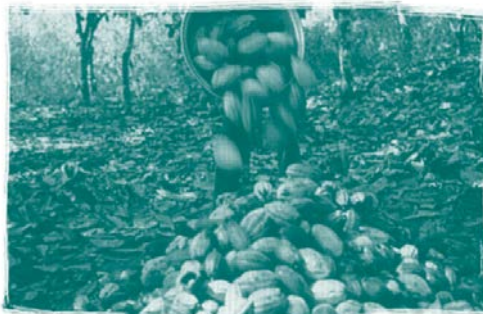
This problem has plagued chocolate manufacturers for many years. The solution is to *kasher* the conches with liquid dark chocolate, or in terms of the *halacha*, *sha'ar mashkim*, literally "other liquids." The *Shulchan Aruch* poses the question whether liquids other than water may be used for kosherization. The *Remah* is opposed to using *sha'ar mashkim* and forbids the use of *sha'ar mashkim* for kosherization. However, the *Remah* permits *kashering* with *sha'ar mashkim* if one has already done the kosherization post facto, *b'dieved*¹. The *Star-K*, does not *kasher* with *sha'ar mashkim*. However, in some *kashrus* agencies in the U.S. and among the Rabbinate in Europe, the prevalent view is to rely on the lenient position, even though the *Shulchan Aruch* frowns upon that method of kosherization.

Another interesting caveat to this question is whether liquid chocolate, or more specifically cocoa butter, which is a solid at room temperature, may be considered a liquid and could therefore be used as a *kashering* liquid. Interestingly enough, when the *Mishna Berura* discusses the issue of egg matzah, the *Chofetz Chaim* ז"ל mentions that fats are categorically considered a liquid², *sha'ar mashkim*, and would be permitted to be used as a *kashering* liquid for those who allow this type of kosherization.

What Bracha do we make on Chocolate?

As we saw through our tour of chocolate manufacturing, the cacao bean is the fruit of the *Forestaro* and *Criollo* trees. However, the cacao bean is indistinguishable in its chocolate form. The question is: Does a fruit prod-

uct that has been pressed into a paste, such as dates into date paste or apricots into fruit leather, retain its *borei pri ha'etz* status because the original product in its pressed version is recognizable? The *Shulchan Aruch*³ concludes that since the fruit product retains its original status, the *bracha* does not change. However, the *Remah* explains that this is not the case regarding a fruit that totally loses its original form. Therefore, the proper blessing for chocolate would be *shehakol*. However, another *halachic* opinion posits that since the cacao bean was grown for the purpose of making chocolate, this is the



essence of the fruit. In spite of the fact that it loses its original identity, the *bracha* should be *borei pri ha'etz*. The case in point in the *Shulchan Aruch*⁴ discusses spices that were ground and sweetened. The *bracha* that is to be made on sweetened ground spices is *borei pri ha'etz* because spices are made to be ground. Applying the same logic to the cacao bean, meaning that the purpose of the cacao bean is to be ground and liquefied into chocolate, the *bracha* on chocolate should be *borei pri ha'etz*. In fact, there are some *poskim* who opine that the *bracha* on chocolate should be *borei pri ha'etz*, and not *shehakol*. However, the consensus of *halachic* opinion is that the *bracha* is *shehakol*.

Earlier, we mentioned that chocolate is over 50% sugar. Sugar is processed from vegetables such as sugar cane or sugar beets. In truth, the *Shulchan Aruch* also deals with the *bracha* on sugar.⁵ In any event, the amount of sugar used would not affect the *bracha* on chocolate, since the purpose of the sugar is to sweeten the cocoa ingredients. Sugar, therefore, is viewed as a secondary ingredient to the cocoa liquor, even though sugar is chocolate's primary ingredient.⁶ According to all opinions the *bracha* remains *shehakol*.

In the case of chocolate-covered nuts and fruits such as peanuts, almonds or raisins, does the combination of chocolate with nuts or fruits affect the *bracha*? Most definitely! However, there are many opinions regarding the proper *bracha*. The *Mishna Berura*⁷ views the fruit as the dominant ingredient, and the chocolate that sweetens the fruit as secondary. The *bracha* on chocolate-covered fruits and nuts would follow the item that the chocolate is sweetening; in the case of fruit or nut, *borei pri ha'etz*, and in the case of peanuts, *borei pri hoadama*. However, others reason that the *bracha* is subjective and would follow the item that is more desirable.⁸ Still others maintain that the item that is more plentiful would be the dominant ingredient, while some *halachic* authorities maintain that one should make two *brachos* on chocolate-covered peanuts because both are of equal importance.⁹ Interestingly enough, the *bracha borei pri ha'etz* would suffice, *b'dieved*, for a chocolate and fruit combination because, in any event, the *bracha* on chocolate may be *borei pri ha'etz*,¹⁰ as we mentioned earlier. Rabbi Moshe Heinemann, *Shlit"a*, Rabbinic Administrator of the *Star-K*, maintains that the *bracha* is subjective. If the chocolate is more desirable, the *bracha* would be *shehakol*; and if the raisin is more desirable, the *bracha* on a chocolate covered raisin would be *borei pri ha'etz*.

King Solomon, *Shlomo Hamelech*, when extolling the virtues of *Bnei Yisroel*, *Torah*, and *mitzvos* exclaims metaphorically "*Vayochal p'ri megadav*," "and he ate His delectable fruits." Indeed this verse could certainly apply to the delights of chocolate, the most delicious fruit of the world.



RABBI TZVI ROSEN
EDITOR

¹ אורח"ח סי' תניב ה"ה רמ"א שם

² אורח"ח סי' תס"ז מ"ב כ"ז

³ אורח"ח סי' ר"ב ה"ז

⁴ אורח"ח סי' ר"ג ה"ז

⁵ אורח"ח ר"ב ה' ט"ז

⁶ אורח"ח מ"ב סי' ר"ג ס"ק מ"ג

⁷ אורח"ח סי' ר"ד באר הט"ב ח"ט

⁸ שלטי"א, Rav Ovadia Yosef

⁹ Rav Moshe Feinstein, זצ"ל, אורח"ח סי' ל"א - זצ"ל

¹⁰ Rav Yosef Shalom Elyashiv, זצ"ל, אורח"ח סי' ל"א - זצ"ל (מובא בספר יובע משה)



STAR-K 2004 RECOMMENDED SOFT DRINK LIST

Soft drinks below are recommended only when produced in the U.S., and refer to both regular and diet versions. All are pareve unless otherwise indicated.

A & W Cream, Rochester Orange, Root Beer
Adirondack (when bearing OU)
Aquafina Essentials Pineapple, Sunfruit, Tangerine Watermelon, Wildberry
Arizona Iced Tea (when bearing OU)
Barq's Cream, French Vanilla Cream, Red Creme, Red Rattler, Root Beer
Bawls (when bearing Star-K) Guarana, Guaranexx
Be'er Mayim
Briar's (when bearing OU)
C & C (when bearing OU)
Canada Dry - The following is a partial listing of the most common:
Canada Dry Ginger Ale Regular, Cherry, Cranberry, Cream, Lemon
Canada Dry Seltzer Unflavored, Cherry, Grapefruit, Lemon Lime, Mandarin Orange, Peach, Raspberry, Raspberry Lime, Strawberry, Tonic, Tropical
Canada Dry Soda Birch Beer, Black Cherry Wishniak, Cactus Cooler, Island Lime, Peach, Pineapple, Root Beer, Sweet & Sour, Vanilla Cream, Wild Cherry
Canfield (when bearing CRC - Note: Grape is not certified.)
Capri Sun - (when bearing OK)
Central Grocers - (when bearing CRC)
Club Soda any unflavored
Coca Cola Coke, Caffeine Free, Classic, Cherry Coke, Coke with Lemon, Coke with Lime, Vanilla Coke
Cornell (when bearing OU)
Cott Cherry, Cola, Cream, Grape, Half & Half, Lemon Up, Orange, Quinine, Root Beer
Country Delight (when bearing CRC)
Country Time Regular Lemonade, Pink Lemonade. All Powders are certified when bearing OK.
Crush Birch Beer, Cream, Grape, Lime, Orange, Peach, Pineapple, Pink Grapefruit, Red Cream, Red Licorice, Spruce Beer, Strawberry, Tropical Punch
Crystal Light Liquids & Powders are certified when bearing OK.
dnl
Dad's Root Beer
Dasani Mandarin Orange, Pear Cucumber, Wildberry, Unflavored
Diet Rite Cola, Golden Peach, Kiwi Strawberry, Lemonade, Red Raspberry, Tangerine, White Grape
Dr. Brown's (when bearing Kof-K)
Dr. Pepper Regular, Red Fusion
Fanta Banana, Birch Beer, Blue Cherry, Blue Raspberry, Blue Vanilla, Ginger Ale, Grape, Kiwi-Strawberry, Orange, Red Licorice, Strawberry, Super Sour Apple, Super Sour Cherry, Super Sour Watermelon, Vanilla, Watermelon, White Cherry, Wild Cherry, Yellow Cherry
Faygo (when bearing OU)
Frapuccino - (Starbucks - only in bottles with a KD [dairy, non-cholov yisroel]) Caramel, Coffee, Double Shot, Egg Nog, Hazelnut, Love Bust Brew, Mocha, Mocha Amaretto, Mocha Light, Vanilla
Fresca
Fresh Samantha (when bearing KVH)
Fruitopia (when bearing OU)
Giant (when bearing OU)
Ginger Ale any plain
H2Oh! Berry, Lemon Lime, Orange, Plain
Hanson's (when bearing OU)
Hawaiian Punch Sizes: 12 oz. cans, 20 oz. plastic bottles, 2 liter bottles; *Flavors:* Blue Tropical, Fruit Juicy Red, Grape, Orange, Red Chillers, Strawberry, Surfing Strawberry
Hershey's Box Milk Drink (when bearing OUD [dairy, non-cholov yisroel])
Hires Cream, Root Beer
Honest Tea (when bearing OU)

IBC Root Beer, Black Cherry, Brown Cream, Cherry Cola, Cream Soda
Icy Splash (when bearing Star-K)
Inka-Kola
Jeff's (when bearing OUD [dairy, non-cholov yisroel]) Egg Cream
Jewel (when bearing CRC)
Jones (when bearing Star-K) Berry Lemonade, Billy Pop, Blue Bubblegum, Cherry, Chocolate Fudge, Club, Cream, Crushed Melon, Fruit Punch, Fufu Berry, Fun, Grape, Green Apple, Happy, Lemon Lime, Orange & Cream, Peachy Keen, Root Beer, Sour Lemon, Strawberry & Cream, Strawberry-Lime, Turkey & Gravy, Upside Down Pineapple, Vanilla Cola
Jones, Natural Jones (when bearing Star-K) Root Beer
Jones, Slim Jones (when bearing Star-K) Black Cherry, Cream, Fufu Berry, Ginger Ale, Lime Cola
KMX
Kool Aid Liquids & Powders are certified when bearing OK.
Le Village (when bearing Star-K) French Limonade, Lemonade, Orangeade, Pink Lemonade
Lipton Brisk Tea Diet Lemon with Caffeine, Green Tea with Passion Fruit, Iced Tea, Lemonade, Peach, Pink Lemonade, Plain, Raspberry, Southern Style, Sweet, Sweetened with Lemon, Sweetened No Lemon, Unsweetened No Lemon
Lipton Iced Tea Diet Lemon, Green Tea with Passion Fruit, Lemon Sweet, Peach, Plain, Plain Sweet, Raspberry, Tea & Lemonade
Lipton Iced Tea Southern Style Lemon, Sweet No Lemon, Extra Sweet No Lemon
Master Chill Bruisin Berry, Cherry Limeade, Red Licorice, Sour Blue Raspberry, Sour Green, Sour Strawberry, Strawberry Creme
Master Pour Popeye's Boyou Blast
Mayim Chaim
Mello Yellow
Minute Maid Limeade, Yellow Lemonade
Minute Maid Soda Blue Cherry, Blueberry, Cherry, Fruit Punch, Grape, Grape Medley, Lemonade, Mixed Berry Fruit, Orange, Passionfruit Orange, Peach, Pineapple, Pink Lemonade, Raspberry Lemonade, Sour Blue Raspberry, Strawberry
Mirinda Grape, Grapefruit, Green Cream, Fruit Punch, Orange, Strawberry
Mitzli (when bearing B'Datz)
Mountain Dew AMP, Regular, Caffeine Free, Blue Shock, Code Red, LiveWire
Mr. Pibb
Mug Cream, Root Beer
Nantucket Nectars (when bearing OU)
Naturale 90 (when bearing OU)
Nestea Iced Tea Lemon Sweet, Peach, Premium, Raspberry, Sweetened Southern Style, Unsweetened Southern Style
Nestea Cool Iced Tea Plain, Peach Freezer, Raspberry Cooler
Nehi Blue Cream, Fruit Punch, Grape, Lemonade, Orange, Peach, Root Beer, Strawberry, Wild Red Cherry
Patio Ginger Ale, Orange, Red Cherry, Root Beer, Strawberry Cream, Strawberry
Pepsi Cola Regular, Caffeine Free, Pepsi Blue, Pepsi



One, Pepsi Twist, Pepsi Vanilla, Wild Cherry
Powerade Aleutian Stream, Arctic Extreme, Arctic Shatter, Berry Blitz, Black Cherry Lime, Dark Brown Burst, Fruit Punch, Grape, Green Squall, Infrared Freeze, Jagged Ice, Lemon-Lime, Lite Andean Chill, Melon Papaya Pineapple, Mountain Blast, Orange, Orange Tangerine, Tidal Burst
RC Cola
Red Flash
Safeway Select (when bearing CRC)
Schweppes Ginger Ale Regular, Raspberry, Dry Grape
Schweppes Seltzer Lemon, Lime, Lemon Lime, Orange, Pink Grapefruit, Raspberry, Tonic, Wild Raspberry
Schweppes Soda Lemon Lime, Grapefruit
Seagrams Ginger Ale
Seagrams Seltzer Lemon Lime, Mandarin Orange
Seltzer any unflavored
7-Up Regular, Cherry
Shasta (when bearing OU)
Sierra Mist
Slam Fruit Punch, Grape, Orange, Strawberry
Slice Cherry, Cherry Lime, Dr. Slice, Fruit Punch, Grape, Orange, Peach, Pineapple, Pink Lemonade, Slice Cola, Slice Red, Strawberry
Snapple (when bearing OK)
SoBe Mr. Green
Sonic
Sprite Regular, Berry Clear Sprite Remix, Tropical Sprite Remix
Squirt Regular, Ruby Red
Stewarts (when bearing OU)
Suburban
Sundrop
Sunkist Cherry, Cherry Limeade, Fruit Punch, Grape, Lemonade, Orange, Peach, Pineapple, Strawberry
Sunny Delight (when bearing Kof-K)
Tab
Tang Powder (when bearing OK)
Tropicana Fruit Punch, Yellow Lemonade, Light Lemonade, Pink Lemonade, Peach Papaya, Strawberry Melon
Vernors
Vess (OV) Black Cherry, Blue Raspberry, Cherry Cola, Club Soda, Cola, Diet Caffeine Free Cola, Diet Cream Soda, Ginger Ale, Mountain Vess, No Salt Seltzer, Peach, Pina Colada, Pineapple, Red Cream, Root Beer, Strawberry, Tonic, Whistle Orange
Vintage Seltzer Lemon Lime, Mandarin Orange, Raspberry, Wild Cherry
Waist Watcher (when bearing OU)
Welch's Soda Lemonade, Orange, Peach Soda, Pineapple, Strawberry
White Rock (when bearing OU)
Wildwood (when bearing CRC)
Wink Grapefruit



New Under Star-K Kosher Certification

Industrial/Institutional Products (see letter of certification)

CONTINUED FROM PAGE 3

Citrus Group
Annapolis, MD
JUICES, BASES, & TEAS

Custom Particle Reduction
Plumsteadville, PA
PARTICLE REDUCTION

Dale Foods
Troy, MI
JUICE & JUICE CONCENTRATES

Danang Agricultural Produce & Foodstuffs I/E Co.
Da Nang, Vietnam
JUICE & JUICE CONCENTRATES

Edible Oil Services
Irving, TX
OILS

Elzan Sugar
Bricktown, NJ
SWEETENERS

Eternal Trading Co.
Tianjin, China
FLAVORS & EXTRACTS

Flavor Full Foods
Taipei Hsien, Taiwan
OILS

Food Concepts
Lebanon, TN
BEVERAGES & DRINK MIXES

H&H Bagels
New York, NY
BAGELS

Habib-ADM
Karachi, Pakistan
RICE PRODUCTS

Hawkins Chemical
Minneapolis, MN
INDUSTRIAL CHEMICALS

Heavenly Flavours
New City, NY
FLAVORS & EXTRACTS

Hebei Chengxin Co
Hebei, China
INDUSTRIAL CHEMICALS

Hebei Xingtai Metallurgy Magnesium Co.
Hebei, China
INDUSTRIAL CHEMICALS

Humphrey Pecan
Coah, Mexico
NUTS

Hubei Xianlong Chem. Industry Co.
Hubei, China
VITAMINS, SUPP. & NUTRITIONALS

Inter-Food (D.S.) Co.
Fujian, China
CANNED VEGETABLES

JFC International
San Francisco, CA
OILS

Jiangsu Pizhou Tian Zheng Bioengineering Co.
Jiangsu, China
AMINO ACIDS

Kimlan Foods Co.
Fujian, China
CANNED VEGETABLES

Kirsch Mushrooms Co.
Bronx, NY
DRIED VEGETABLES

Kora Oliva
Seville, Spain
OLIVES

Liaoyang Fuqiang Food Chemical Co.
Liaoyang, China
FOOD CHEMICALS

Man Spice Processing Vietnam
Binh Duong, Vietnam
SPICES & SEASONINGS

Marathon Packing Corp
San Leandro, CA
OILS

MicroSoy Corporation
Jefferson, IA
SOY PRODUCTS

Moe's Roe
Garden, MI
FROZEN FISH

Moraya Global
Maharashtra, India
FLAVOR CHEMICALS

Ningbo Baoyu Food Co.
Zhejiang, China
CANNED FRUIT

Ningbo Guosheng Food Co
Ninghai, China
CANNED FRUIT

Ningbo Zhongqing Packing Material Co.
Shanghai, China
PLASTIC PRODUCTS

Novalia
Tuxedo, NY
OILS

Nutriceps
Burnsville, MN
CITRIC ACID/CITRATES

Penford Australia Limited
Lane Cove, N.S.W. Australia
STARCHES & STARCH PRODUCTS

Rajasthan Gum Industries
Jodhpur, India
PRESERVATIVES

Shandong Fufeng Fermentation Co.
Shandong, China
FOOD CHEMICALS

Shanghai Lorcha International Trading Co.
Shanghai, China
FOOD CHEMICALS

Shanghai Yimin Chemical Co.
Shanghai, China
FOOD CHEMICALS

Shanghai Yuansen Medicine Raw Material Co.
Shanghai, China
VITAMIN COMPONENTS

Shangyu Laitejia Chemical Co.
Zhejiang, China
VITAMINS, SUPPL. & NUTRITIONALS

Sinochem Ningbo Import & Export Co.
Ningbo, China
SPICES & SEASONINGS, DEHYDRATED VEGETABLES

Sinoglory Oppenheimer Soya Protein Co.
Shandong, China
SOY PRODUCTS

SKC Chemicals Group
Seoul, Korea
FOOD CHEMICALS

Spicer Randolph
Las Vegas, NV
INDUSTRIAL CHEMICALS

Stahmanns Farms
San Miguel, NM
NUTS & SEEDS

Sterling Food Flavorings
Dayton, NJ
FLAVORS & EXTRACTS

Suzhou Sanjian Nutrient & Health Products Co.
Jiangsu, China
VITAMINS, SUPP. & NUTRITIONALS

TarHeel Distributing Co.
Kure Beach, NC
JUICE & JUICE CONCENTRATES

The Sweet Life
Miami, FL
SWEETENERS

Vemo 99 Ltd.
Sofia, Bulgaria
ENZYMES

Villa Maria Products
Baldwin, NY
OLIVES

Virga Pizza Co. of VA
Portsmouth, VA
TOMATO PRODUCTS & SAUCES

Wuhan Alking Bioengineering Co.
Hubei, China
VITAMINS, SUPPL. & NUTRITIONALS

Wuxi Yangshan Biochemical Co.
Jiangsu, China
FOOD CHEMICALS

Yantai Yongchan Foodstuff Co.
Shandong, China
FROZEN FRUIT & VEGETABLES

Zaloom Marketing Corp.
Hackensack, NJ
RICE CRACKERS

Zeytinli, Inc.
Pembroke Pines, FL
OILS/OLIVE OILS (INDUSTRIAL)

Zhejiang Xinchang Best Foods Co.
Zhejiang, China
CANNED FRUIT

ZiBo Cargill Huanghelong Bioengineering Co.
Shandong, China
XANTHAN GUM

Zibo Shunda Biological-Chemistry Co.
Shandong, China
XANTHAN GUM

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