Bayamim Haheim Bazman Hazeh: OLIVE OIL: The Contemporary Industry of Antiquity

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Olive oil, the liquid gold of the ancients, was touted for its nutritional, medicinal, and cosmetic value. As a fuel, olive oil illuminated the home; as a food ingredient, it was a feast to the palate. Olive oil production is one of the world’s oldest industries. Interestingly, much of this ancient industry has not changed over the millennia.

As the numerous olive oil brochures of the Mediterranean coastal region proudly claim, the olive oil industry dates back over 5000 years, as evidenced by the discovery of a 5000 year old olive oil earthenware vessel in Turkey. Needless to say, the shemen zayis (olive oil) as mentioned in the Torah, which was given 3300 years ago, is one of the seven special species of Eretz Yisroel. The Torah requires the purest of pure olive oil, shemen zayis zech, to light the menorah. Olive oil was an integral part of the service in the Bais Hamikdash, the Holy Temple. The olive branch is considered a symbol of peace and was also brought back to Noah’s ark by the dove, signaling that the end of their year-long confinement during the flood was in sight.

Today, olive oil’s popularity has dramatically increased and has taken the health conscious market by storm. Premium quality olive oil under reliable kosher certification is imported from Crete, Greece, Italy, Morocco, Spain, Turkey, Tunisia, and of course Israel.

The Star-K hotline receives numerous questions regarding the kashrus of olive oil. What is the difference between the processing of olive oil and other vegetable oils? What is extra virgin olive oil? Are there additional concerns? Let us take a closer look at the contemporary industry of antiquity.

WHAT IS VEGETABLE OIL?

Olive, corn, soybean and all other seed oils fall into the general family of oils known as vegetable oils. Vegetable oil is one of the liquid substances that is extracted from the vegetable. Vegetable oil is almost entirely made up of the fat of the vegetable. It can be liquid at room temperature, as in the case of corn, cottonseed, soybean, or olive oil. In the case of cocoa butter, coconut, or palm oil, the oil is solid at room temperature. Some vegetable oils are extracted from the seed of the vegetable, as in corn, soybeans, peanuts, hazelnuts, and sunflowers. Some vegetable oils come from the “fruit of the vegetable,” as in olive and palm.

If one would visit the numerous day schools, chadarim, mesivos and batei midrashim throughout the world, one would find that every child, almost every bochur and most Kollel Yungeleit have never performed the mitzvah of reciting Birchas Hachama (the blessing of the sun). This is because this mitzvah is performed only once every 28 years. The last time it was recited was in 5741 (1981) and b’ezras Hashem the next time will be this coming Erev Pesach, 5769 - Wednesday April 8, 2009. What is this special mitzvah and why is it recited so infrequently?

I. BIRCHAS HACHAMA – A SIMPLE EXPLANATION

The Amorah (Talmudic scholar), Shmuel, said that every time Tekufas Nissan (the beginning of spring, as calculated by Chazal) occurs at 6:00 p.m. on Tuesday evening (when the halachic day of Wednesday begins), one should go outside the next morning and recite the brocha, “Osei maaseh braishis.” This occurs once every 28 years.

II. THE HALACHOS

On Wednesday morning (the day after Tekufas Nissan), one goes outside and quickly gazes towards the sun and says, “Baruch atah Hashem Elokinu Melech haolam oseh maaseh braishis”, “Blessed are You, Hashem, our G-d, King of...”
A variety of processes are used to extract oils. Chemical extraction uses heat and solvents. Cold pressing, also known as physical or mechanical extraction, does not use processing aids. All varieties of vegetable oils are expressed through chemicals and heat. Cold pressing is unique to olive oil.

There are two types of chemical extraction. One method uses high heat and a solvent, such as hexane, to draw out the oil. The solvent is then evaporated, leaving behind the vegetable oil. Expellar pressing, another method of chemical extraction, expresses the vegetable oil through high heat and pressure. The freshly extracted vegetable oil is known as crude vegetable oil, which is dark and generally bitter, necessitating further refining before becoming an edible oil.

THE COLD PRESSING MIRACLE

Olive oil is truly one of Hashem’s unique creations. It is unique because olive oil is the only fruit oil that can be extracted through cold pressing. This means that the oil only needs to be squeezed out; no further refining is required and it is ready for consumption. Although the heavy grindstones and millstones that crushed and expressed the olive oil in ancient times have given way to mechanical crushers and centrifuges, cold pressing extraction has remained virtually unchanged. Once separated, the freshly squeezed olive oil needs no further refining. The olive oil’s quality is rated by its acidity content. If there is little or no acidity, then this supreme quality olive oil is labeled extra extra virgin; up to 0.5% acidity, the oil is considered extra virgin; from 1 to 1.5% acidity is virgin olive oil. These naturally squeezed oils are robust, flavorful and full bodied! The oil is filtered through a cold filter press and is ready to go.

In the event that the cold pressed olive oil’s acidity level is too high, the oil would be too bitter to consume. Refining in a manner similar to the other crude vegetable oils would be necessary.

REFINING VEGETABLE OIL

Four basic steps are used to refine oil: Neutralization and Separation, Bleaching and Deodorizing.

- **Neutralization and Separation:**
  When an oil is neutralized, sodium hydroxide, also known as caustic soda, is added to lower the acidity. This neutralizes the bitter taste of the crude oil by combining with the oil to create a sodium salt which is then separated out from the oil and used for soap stock. The neutralized oil is then ready for bleaching.

- **Bleaching:**
  Diatomaceous earth is added to bleach and absorbs the dark colored particles of the oil, in order to give it a clear color.

- **Deodorization:**
  Any off smell that the oil may have is then removed through a process known as deodorization. The oil is heated to very high temperatures in a 12 meter tall deodorizer. Vacuum and high heat remove any smell. The result is a clear, odorless, refined vegetable oil.

In the event that a refinery processes only vegetable oil, the kashrus issues regarding equipment are minimal. In the past, it was customary for many of the oil refineries in the U.S. to refine tallow, rendered beef fat or lard, as well as vegetable oil on the same equipment. Cleaning and kosherizing a 12 meter high deodorizer that has been deodorizing tallow is nearly impossible; ask any housewife who has to clean a greasy, oily, caked-on frying pan, and then multiply it by 12 meters! Consequently, many reliable kashrus agencies would not kosher certify vegetable oil that was deodorized on a common animal/vegetable deodorizer. Although animal/vegetable refineries have greatly diminished in the past 20 years, they still exist and the kashrus issues in an animal/vegetable plant are still critical. Due to these issues, any refined vegetable oil or any product containing vegetable oil requires reliable kosher certification.

NAMING THE OLIVE OIL

Often, we see (on the supermarket shelves) many varieties of olive oil alongside the extra virgin olive oil sold under the following “noms de market”: pure olive oil, extra light, or refined pomace olive oil. What are they? Pure olive oil is a combination of extra virgin and refined olive oil. Extra light is the popular name for refined olive oil. Pomace olive oil is the refined oil that is extracted through a second heat extraction. After cold pressing, the pressed olive pulp undergoes secondary high heat extractions in order to remove any residual olive oil from the olive stock. This crude oil, also known as pomace oil, would be subjected to the same refining processes as other crude vegetable oils. Usually, pomace oil is used in manufacturing applications such as the olive oil found in canned sardines. It can also be sold as a consumer item.

KOSHER OIL TRANSPORT

The Talmud relates that when Daniel was in the court of Nevuchadnetzer, King of Babylon, he refrained from eating non-supervised olive oil because he suspected that the oil may have been adulterated or contaminated. Furthermore, Daniel suspected that the vessels that held the oil could have been smeared with non-kosher fats or oils. The Talmud questions whether or not the rabbis should permit non-supervised olive oil. This was subject to many opinions. The Talmud concludes that Rabbi Yehuda Nasi and his rabbinical court permitted this oil. According to the halacha, there is no rabbinical prohibition of shemen akum.

Is there a real concern for extra virgin olive oil adulteration today? Given that extra virgin olive oil is such a high end commodity, adulteration is very inviting. In past years, safeguards have been set up by the International Olive Oil Board to counter this. The board has a major responsibility to their constituency, namely that the olive oil sold in the U.S. is pure and untainted. The quality control standards stipulate that each production of
extra virgin olive oil must undergo a battery of quality control testing to assure its integrity. It was assumed that with the producer's reputation on the line, olive oil adulteration would be almost impossible. Over the years, however, there have been allegations of compromise in various oil facilities, especially with the proliferation of many food service brands.

In order to gain greater insight and first hand information into the growing food industry, the Star-K joined a number of food associations, including the NAOAA, North American Olive Oil Association. The NAOAA was created to work on behalf of the olive oil industry on legislative and regulatory issues, to promote and educate consumers about the value and benefits of olive oil, and to serve as a voice of integrity in an industry that has been subjected to alleged improprieties. Furthermore, the NAOAA has repeatedly voiced these concerns to the international olive oil parent body, the International Olive Oil Council (the IOC), without any satisfactory resolve.

Finally, the NAOAA decided to take matters into their own hands by implementing an olive oil seal program, similar to an olive oil kosher certification to create a U.S. standard of identity for olive oil. Companies that agree to participate in the seal program must pay an annual fee and submit samples for periodic testing. The intention of the seal program is to discourage would-be olive oil adulterers. However, companies must be willing to participate. Moreover, food service consumers such as restaurants and hotels are more concerned with the bottom line price, rather than aesthetics and quality, so the seal program will be a hard sell.

Consequently, the Star-K requires kosher certification on all types of olive oil, including extra virgin. There is a contractual agreement between the manufacturer and the haskhus organizations, as well as an extra set of eyes that inspect the facilities. Unfortunately, allegations refuse to go away.

The alleged “counterfeit” oil that has been known to pass as an olive oil, and possibly squeak by the Delta 7 test for extra virgin olive oil, is hazelnut oil. Any other vegetable oil would be spotted immediately. However, the fear of getting caught, fined and blackballed would give any fraudulent olive oil producer pause. Although there have been allegations in the past, none have been conclusively proven with hard core evidence. Nevertheless, the kosher consumer should be aware in light of all of the allegations and the responsive action taken by the NAOAA in implementing the seal program. Any olive oil, cold pressed or refined, should be purchased with reliable kosher certification. Furthermore, it is important for the kosher consumer to note that the olive oil producing countries do not refine any animal fats in their oil refineries.

The issues concerning the transport of kosher vegetable oils from global ports is as real today as it was in Nevuchadnetzzer's court. The wooden cask, clay jug and leather flask have been replaced with 55 gallon drums, five gallon tanks and plastic bottles. New drums and packaging solve the concerns of retail packaging. However, the new reality of reusable plastic flex tankers and the age old issue of common carrier transport in trucks and ocean vessels is a real haskhus issue. The problem with shipping kosher oil in a common shipping vessel is further exacerbated, due to possible contamination of kosher oil from non-kosher wine vinegar and/or animal based fats and chemicals shipped in adjoining shipping compartments. Kosher truck transport has been a front burner issue, as well. Trucking companies sensitive to the haskhus concerns of kosher certification agencies have set aside dedicated carriers or kosherization protocol for common carriers. The problem of common shipping carriers has been solved by establishing a criteria for kosher food transport in shipping vessels with the cooperation of tanker transport companies. The kosher criteria is as follows: The last three shipments prior to the transporting of kosher certified product have to be kosher grade products. During the transport of the kosher certified product, no non-kosher product can be shipped in adjoining compartments of the vessel.

Although tallow production is uncommon in olive oil producing countries, tallow based shipments of products such as glycercin from foreign countries are not uncommon. Therefore, oil refineries still require kosher certification.

**PESACH**

Are there any Pesach haskhus concerns? As we have mentioned, seed oils such as corn and soybean, which are not used for Pesach, are commonly refined in the same facility that produces extra virgin olive oil. The holding tanks for extra virgin olive oil are always separated from the seed oils. At times, there could be a co-mingling of common filters, fillers, and hoses. Furthermore, some facilities add citric acid to extra virgin olive oil, although this practice is highly uncommon.

Zayis ra’amani yafeh pri to’ar hura Hashem shimecha.1 Hashem compares the nation of Israel to the beautiful fruit of an olive tree. The Midrash questions why Israel is likened to an olive tree. Don’t other beautiful trees or beautiful fruits merit comparison? Why not the delicious grape or the tall majestic cedar? The olive tree is strong and durable and can live for centuries. The main purpose of the olive is not its fruit, but the delicious oil that the fruit contains which is not easily obtained. First, the tree has to be shaken to loosen the olives. Then the olives must be crushed, ground and pressed under the weight of heavy mill stones. Finally, the delicious oil is extracted. So it is with the nation of Israel, who is constantly subjected to the pressures and criticism of a hostile world. It is under these challenges that our great strength, fortitude, and resilience exude from within our national collective self and the sweetness of achdus, unity, comes to the forefront. Like delicious olive oil, we rise to the occasion and weather the challenges.

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1 It is interesting to note, due to our renewed interest in a healthy diet, another seed oil has captured the interest of consumers, namely grape seed oil. Grape seed, not to be confused with rapeseed, is the actual seed of the grape. These seeds are the byproduct of the grape crush after the grape juice has been pressed, and indeed contain a small content of grape juice that is recovered after the first crush. Grape seed oil cannot be extracted from a moist seed. The seed must be washed and completely dried before processing into grape seed oil. This oil would also require reliable kosher certification.

2 Avoda Zora 35B and 36A.

3 Yirmiyahu Rabu 11.
### Consumer Products

(only when bearing Star-K symbol)

**ACEITUNERA SAN MARCOS**  
SPAIN  
OLIVES

**AMERICAN EAGLE FOOD PRODUCTS**  
Cedar Grove, NJ  
FRUIT (DRIED)

**AMERICAN ROLAND FOOD CORP.**  
New York, NY  
OLIVES; DOLS; OLIVE OILS

**APRIFOOD LTD.**  
TURKEY  
FRUIT (DRIED)

**ATLANTIC INTL. PRODUCTS**  
Utica, NY  
VEGETABLES (CANNED)

**ATLAS WALNUT**  
Somerville, MA  
NUTS & SEEDS

**BETRASSONI SPA**  
Roseland, NJ  
KITCHEN APPLIANCES ( Sabbath compliant)

**BETTER MADE**  
Bay City, MI  
NUTS & SEEDS

**BOSTON COOKIES**  
Somerville, MA  
CAKE & PASTRY PRODUCTS; COOKIES

**CURTIS INDUSTRIES**  
Cleveland, OH  
NUTS & SEEDS

**DANIN INTERNATIONAL, INC.**  
Chino, CA  
DIGESTIVE SUPPLEMENTS

**DELONGHI**  
Edgewood, NY  
KITCHEN APPLIANCES (Sabbath compliant)

**ECO ACUCOLA SAC**  
PERU  
VEGETABLES (CANNED)

**EDIBLE ARRANGEMENTS #527**  
Baltimore, MD  
GIF T BASKETS

**FIELDBROOK FOODS**  
Dunkirk, NY  
NUTS & SEEDS; SNACK FOODS

**FRANCO MEYVE IHRACAT TICARET**  
Monrovia, CA  
BREAD PRODUCTS

**FRUITWORKS**  
Pikesville, MD  
GIFT BASKETS

**GIANT EAGLE, INC.**  
Pittsburgh, PA  
FRUIT (FRESH PACKAGED)

**GIFTCORP**  
East Hartford, CT  
FRUIT (DRIED); NUTS & SEEDS

**GLORY FOODS, INC.**  
Columbus, OH  
VEGETABLES (CANNED)

**GOOD SOURCE**  
Caribou, CA  
PRETZELS

**J. POLEP**  
Chicopec, MA  
NUTS & SEEDS

**JOZEV**  
E. Long Meadow, MA  
NUTS & SEEDS; SNACK FOODS

**KALAMATA FOOD PURVEYORS, INC.**  
Hayward, CA  
OLIVES; DOLS; OLIVE OILS

**KATELAYNE, INC.**  
Nashville, TN  
CAKE & PASTRY PRODUCTS

### Industrial/Institutional Products

(see letter of certification)

**BENKI SUNSHINE HEALTH PRODUCTS**  
CHINA  
HERBAL EXTRACTS

**CHINA MEHECO CORP.**  
CHINA  
HERBAL EXTRACTS

**CLASS PRODUCE GROUP**  
Jessup, MD  
FRUIT (FRESH PACKAGED)

**COARL LLC**  
Incline Village, NV  
VITAMINS, SUPPLEMENTS & NUTRITIONALs

**DRYTECH PROCESS**  
INDIA  
VEGETABLE GUM

**ECO ACUCOLA SAC**  
PERU  
VEGETABLES (CANNED)

**ECOLAB, INC.**  
St. Paul, MN  
INDUSTRIAL CHEMICALS

**FAVA S.A.**  
SPAIN  
OLIVES

**FINE ORGANICS INDUSTRIES MUMBAI**  
INDIA  
INDUSTRIAL CHEMICALS

**FOLIENWERK WOLFGEN GMBH**  
GERMANY  
PLASTIC FILMS

**GHERKINS AGRO EXPORTS**  
INDIA  
PICKLED PRODUCTS

**IND-SWIFT LABORATORIES, LTD.**  
INDIA  
HERBAL EXTRACTS

**INTOCCELL, LLC**  
Boca Raton, FL  
NUTRITIONAL SUPPLEMENTS

**JAMES LAKE FARMS, INC.**  
Wisconsin Rapids, WI  
FRUIT (FROZEN)

**JIANJU CAHUA PHARMACEUTICAL**  
CHINA  
ESSENTIAL OILS & OLEORESINS

**JINGXI HUAYU Aromatic TECHNOLOGY**  
CHINA  
FOOD CHEMICALS

**LIMOKN GIDA SANAYI**  
TURKEY  
JUICE & JUICE CONCENTRATES

**LINGCHUAN HONGYU NATURAL PRODUCTS, INC.**  
CHINA  
HERBAL EXTRACTS

**LINYI CITY KANGFA FOODSTUFF DRINKABLE**  
CHINA  
FRUIT (CANNED); JAMS/PRESERVES; VEGETABLES (CANNED)

**MANEX (XIAMEN) CORP.**  
CHINA  
HERBAL EXTRACTS

**MICHAEL WARING TRADING**  
AUSTRALIA  
NUTS & SEEDS

**MORSE CHEMICAL, INC.**  
San Gabriel, CA  
VITAMINS

**NANNING BIOLICONE BIOTECHNOLOGY CO.**  
CHINA  
ENZYMES

**NUTRICEPTS, INC.**  
Bumunoo, MN  
GLUCONATES

**PARK CENTRAL TECHNOLOGIES**  
Elburn, IL  
EGG PRODUCTS

**PMP PERFUMATION PRODUCTS**  
Peoria, IL  
GLUCONATES

**PT. DWIPA. JAVA SPICES**  
JAKARTA  
INSECTICIDES; FOGGINGS

**QUANGUO XIAN QIAN XIN INDUSTRIAL CHEMICALS**  
CHINA  
POULTRY PRODUCTS

**REDNER’S WAREHOUSE MARKETS**  
Dunkirk, NY  
FRUIT (DRIED); NUTS & SEEDS

**RMF**  
Bloomington, MN  
BRANDS

**ROYDOO’S PERKY PEANUTS, INC.**  
Montandon, PA  
NUTS & SEEDS; PRETZELS; SNACK FOODS

**SIALGRO**  
Boca Raton, FL  
SNACK FOODS

**THE SWEET GIFT**  
Catonsville, MD  
FRUIT (DRIED)

**TANPA GIDA**  
WITH THE NCYI, administers the Kashrus of Star-D.

**TZEDAKA KOSHER CORNER/UMBC**  
Washington, DC  
KOSHER MEAT

**ZHEJIANG BOSSEN INGREDIENTS CO.**  
CHINA  
INDUSTRIAL CHEMICALS

**ZHEJIANG YIXIN PHARM. CO.**  
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 (NCYI). The Star-K is its relationship with the NCYI. The Star-D is to the Star-K as the Star-K is to the Star-D.

**BETTER MADE**  
Bay City, MI  
NUTS & SEEDS

**FIELDBROOK FOODS**  
Dunkirk, NY  
NUTS & SEEDS; SNACK FOODS

**GIFTCORP**  
Irvine, CA  
FRUIT (DRIED); NUTS & SEEDS

**HICKORY FARMS**  
Chambers, OH  
SNACK FOODS

**JOZEV**  
E. Long Meadow, MA  
NUTS & SEEDS; SNACK FOODS

**PARDOE’S PERKY PEANUTS, INC.**  
Montandon, PA  
NUTS & SEEDS; PRETZELS; SNACK FOODS

**PARK CENTRAL TECHNOLOGIES**  
Elburn, IL  
EGG PRODUCTS

**SCOOPS & FROOTS**  
Baltimore, MD  
ICE CREAM SHOP

**SWEET ARAYSIS**  
Brooklyn, NY  
BAKERY (DAIRY)

**THE SWEET GIFT**  
Woodridge, NY  
CHOCOLATE PRODUCTS

**TOAD-ALLY SNAX, INC.**  
Bristol, PA  
SNACK FOODS

**Establishments**

(see letter of certification)

**KOSHER KORNER/UMBC**  
Resident Dining Hall  
Cantonville, MD  
RESTAURANT TAKE-OUT (MEAT/DAIRY)
the universe, who re-creates the structure of the moon and sun.22 Additional tefillos praising the Ribono Shel Olam are also recited. Before the brocha, Hallelu es Hashem min Hashamayim is recited. After the brocha, Kail Adon, Mizmor Hashamayim Mesaprim and Aleinu are recited. If there is a minyan, Kaddish is recited after Aleinu.

Ideally, Birchas Hachama should be recited before the third hour of the day.23 B’dieved, one has until chatzos (midday) to recite Birchas Hachama. It is preferably recited while standing - "b’vor am" - with a group of other people.24 Women and children should recite the brocha, as well. A blind person should be yorzei (fulfill his obligation) through hearing someone else make the brocha.

If it is cloudy, the following halachos apply: If one can see the lines of the sun behind the clouds, one may say Birchas Hachama. If it is so cloudy that the sun is not visible, one may not say Birchas Hachama with the name of Hashem.25 Rather, shortly before chatzos (or when it is obviously going to stay cloudy until chatzos) one would say, "Baruch atah oseh maasch bratsheis," without the name of Hashem.

III. WHY EVERY 28 YEARS?

When the world was created, the sun and moon were created on the Wednesday of the week of b’rias haolam (creation of the world). On that day, the beginning of springs (known as Tekufas Nissan) was at 6:00 p.m. on Tuesday, the beginning of the halachic day Wednesday.26

It takes approximately 365 days and 6 hours27 for the Earth to revolve one time around the sun. This is equal to 52 weeks, 1 day and 6 hours. Therefore, in the following year (after the world was created) spring began early Thursday at midnight (midnight early Thursday is one day of the week and 6 hours after Tuesday at 6:00 p.m.). The following year it began at 6:00 a.m. on Friday, the following year at noon on Shabbos and the year after that at 6:00 p.m. on Sunday. Every four years, the time of the tekufa moved five days of the week later (e.g. from 6:00 p.m. Tuesday to 6:00 p.m. Sunday). After 28 years,28 it returned to the same time that it was at Brias Haolam, 6:00 p.m. Tuesday the beginning of "Lail Revii" (halachically Wednesday). So, in year 29 (counting from the creation), 57, 85, 113 and every 28th year after that, including most recently in 5713 (1953) and 5741 (1981) the tekufa was at 6:00 p.m. on Tuesday and Birchas Hachama was recited the next day. Once again, it will be at 6:00 p.m. on Tuesday this year. After this year, the next time Birchas Hachama will be recited will be in 5797 (2037) and then again in 5825 (2065).

IV. THE DATE

Birchas Hachama is always recited on a Wednesday. In the 20th and 21st centuries, it is recited on April 8.29 The Hebrew date can vary. In the past 400 years, Birchas Hachama has been said as early as the 27th of Adar II (in 5461 [1781]) and as late as the 26th of Nissan (in 5545 [1785] and 5629 [1869]).30

Birchas Hachama can be recited on Yom Tov. It will be recited on the seventh day of Pesach (scheduled for 5881 [2121]) and was said on the second day of Pesach - Yom Tov outside of Israel (in 5601 [1841]). It cannot be recited on the first or eighth day of Pesach, as these days never occur on Wednesday. This year, 5769 (2009), Birchas Hachama will be recited on Erev Pesach.31 According to the calculations of the calendar,32 in 5797 (2037) Birchas Hachama will be recited on Isru Chag Pesach; in 5825 (2065), it will be said on the 2nd of Nissan.

K’dla Yisroel is zoche (merits) to have two types of mitzvos. Some mitzvos are performed frequently, on a daily or weekly basis; other mitzvos are performed infrequently. Both types of mitzvos are done to better serve the Ribono Shel Olam. One
Q: My freezer has an ice making machine, which has an arm that rises as ice is produced and lowers when ice is removed. I generally turn the machine off before Shabbos by lifting the arm until it is fully raised. If I forget to do this, can I remove ice on Shabbos from the ice maker?

A: There are various types of ice maker machines available, and they do not all work in the same way. However, many of the commonly available models employ the following mechanism. The ice making process begins when the ice maker signals the water valve to open, and a specified amount of water then flows into the ice mold. When the thermostat senses that the water has frozen into ice, it signals that the heating coil under the ice maker should start to heat up, thereby loosening the ice cubes from the mold surface. The ejector gear then rotates the ejector blades. As the blades revolve, they scoop the ice cubes up and out of the mold and push them out of the icemaker into a collection bin. A shut-off arm extends from the ice maker over the collection bin. During each ice making cycle, the arm rises up and then drops back down after the new ice is dumped into the collection bin. As ice accumulates in the bin, it prevents the arm from dropping back down. When the arm is high enough, the ice maker shuts off and no more ice is made until the ice level in the bin drops. The arm can be manually raised further to the indent position, in which the arm remains raised and the ice maker does not operate.

If the bin was not filled with ice and the ice maker had not shut off, then removing any ice will lower the arm, thereby causing the ice maker to stay on longer. This will cause the heating coil to cycle on and off additional times during the course of Shabbos. Rabbi Heinemann, shlit"a, is of the opinion that one should not do this on Shabbos. One possible solution would be to prop up the arm in such a way that it would not move when ice was removed from the bin.

However, in the above scenario, it is also possible that the ice maker would have continued to produce ice until the end of Shabbos, even if no ice had been removed. In this case, removing any ice only causes the ice machine to stay on longer after Shabbos. Therefore, removing the ice and further lowering the arm does not cause any greater melochoh to be performed on Shabbos. If one knows for certain that this is the case, then it would be permissible to remove ice on Shabbos. The new ice that the ice machine would continue to make on Shabbos would not be muktza and could be used on Shabbos.

The above is true only for the ice maker described above. However, there are other ice makers which have different mechanisms, for example an electronic eye which determines the amount of ice in the collection tray. Alternative mechanisms would, of course, have different rules for Shabbos usage. Ensuring that the arm of an ice maker is in the indent position before Shabbos would avoid all of these concerns.

Q: I recently purchased a new hot water heater which has an electronic ignition system. Can I use hot water in my house on Yom Tov?

A: There are various types of hot water heaters. In order to answer the question, we have to consider both tank and tankless hot water heaters. In a tank heater, hot water is stored in a tank and some of that water exits the tank whenever the hot water faucet is opened. The water which has left the tank is replaced with cold water. When the thermostat in the tank registers the drop in temperature, the heating system begins to heat the water in the tank. The heating system might have a standing pilot light, or it might use an electronic ignition.

A tank heater that has a pilot light can be used on Yom Tov.1 In these heaters, the pilot light always stays on. This pilot light in turn ignites another flame which heats the tank with the incoming water. On Yom Tov, one is allowed to light a fire from a pre-existing flame in order to heat the water. Therefore, this type of heater can be used for any Yom Tov need.2

A tank heater that uses electronic ignition can also be used on Yom Tov.3 In this type of heater there is no continuous flame, and the electronic system ignites a new fire when needed. Since one is forbidden to create fire on Yom Tov, one might assume that it would therefore be forbidden to open the faucet. However, there are two reasons why one is in fact allowed to open the hot water faucet on Yom Tov.

First, the heater goes on intermittently in any case to ensure that the water in the tank stays hot. Therefore, it may already be
on when the faucet is opened. Second, even if the heater was not previously turned on, opening the faucet does not immediately activate the heater. The thermostat will register the temperature drop only after new water enters and cools the existing water in the tank. This, in turn, will cause the heater to start. Therefore, opening the faucet will indirectly activate the ignition. For these reasons, it is permissible to use such a heater on Yom Tov.

However, there are some heaters which do not have a tank. In these heaters, no hot water is stored. Rather, the heating system goes on as soon as the faucet is opened. In such a system, there is no time delay and the tankless heater switches on every time one opens the faucet. In this type of heater, there is no time delay and the fan which switches on every time one opens the faucet.
Star-K Kosher Certification

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

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

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