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Chullin Daf Yomi Review: The Halachos of Shechita, Nikkur and Melicha



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When the Torah commands "*ubasar basadeh treifah lo socheilu*" (Shmos 22:30) – "you may not eat *treif* meat" – it is not making a general statement about non-kosher food, which is the common understanding of the word *treif*. Here, *treif* refers specifically to an animal whose flesh was torn or ripped.

Technically speaking, if a kosher species of animal or fowl is attacked by a predator, the meat of the victim may be deemed *treif*. The meat of a kosher animal slaughtered improperly is actually called a *neveila*. The flesh of a non-kosher animal species, on the other hand, is the meat of a *teme'iah*. Still, the term *treif* has found its way nowadays to be generally synonymous with *non-kosher*. That is how we will be using the term from here on.

The Mitzvah of Shechita

The halacha requires that all animals and fowl used for kosher consumption be from a kosher species and slaughtered by a shochet. Once *shechted*, the freshly slaughtered animal or fowl must undergo a series of inspections (*bedikos*) to verify its health and wholesomeness. If the animal was found to have suffered an internal defect (such as a rip, puncture or broken bone) or if the animal appeared to be suffering from an illness or defect that was determined to be terminal had the animal lived, the animal would more than likely be deemed *treif*.

While some *treif* characteristics can be determined through external examination, an animal or fowl cannot be kosher approved without an internal examination (*bedikas p'nim*). This examination is needed to determine that the internal organs are free from any holes, punctures, defects, or disease that would disqualify the animal and render it non-kosher.

During the internal examination, it is common to find adhesions (*sirchos*) on the animal's lungs. An adhesion is an abnormal condition in which tissues are united by fibrous matter. These adhesions may be indicative of a puncture in the lung wall beneath the adhesion. A puncture of the lung will disqualify an animal and render it *treif*.

Occasionally, the lung adhesion is not hiding a puncture. This can be determined through skillful removal of the adhesion. Once removed, the smooth lung can be tested by filling it with air and submerging it underwater. If air bubbles appear in the water, it is an indication that the lung has been punctured and the animal is *treif*. If the submerged lung is airtight, the animal is kosher.

The Differences Between Kosher, Glatt and Beit Yosef Glatt

It is important to understand the different standards of kosher meat. Just as the meat industry distinguishes the quality of its meat through its grading (i.e., Prime or Choice), so, too, the world of kashrus uses different labeling to indicate the final kosher status of the meat. In the USA, kosher meat displays one of the following labels:

✦ **Beit Yosef Glatt** – The lung was found to be free of adhesions.

✦ **Glatt Kosher** – Any adhesions found were exceptionally thin (i.e., comparable to a strand of sewing thread); the adhesion peeled off easily, leaving no hole in the lung wall; and the adhesion-free lung passed the air/water test.

✦ **Regular Kosher** – The lung had adhesions that were thicker or wider in nature, but upon removal they did not leave any holes in the lung wall and the lung passed the air/water test.¹



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Vkarasa l' Shabbos oneg – "and you shall call Shabbos a day of delight."¹ *Oneg Shabbos* manifests itself in many delightful ways. On Shabbos Kodesh we enjoy delicious *ma'acholim* and sing *l'his'aneig bisa'anugim*. We delight in wearing beautiful clothes, taking a well-deserved afternoon nap and, of course, engaging in *limud haTorah*. All these combine to make the preeminent day of the week extra special.

And what could be more delightful than a steaming cup of coffee on a cold Shabbos morning? Or how about a delicious mug of hot chocolate? Does the piping hot mug of cocoa mirror the steaming cup of hot coffee in the eyes of halacha? Let's take a closer look and discover that the twain do not meet.

CHOCOLATE 101

The prime ingredient in chocolate is the *cacao bean*, which grows in many regions of the world, including West Africa, Central America and Southeast Asia. Cacao beans are not created equal.

Chocolate producers categorize beans into three main varieties: Forastero, Criollo and Trinitario. The most expensive and rarest beans are from Criollo trees, which produce aromatic, premium-quality beans – these are found in only 10% of manufactured chocolate. Commodity-quality beans used in the chocolates we are most likely to purchase are from the more ubiquitous, hardier Forastero tree – these are used in 80% of all chocolate production. Less commonly found are Trinitario beans, which are a combination of the other two types and have the best characteristics of each – more disease-resistant than Criollo but better-tasting than Forastero.



¹ Yeshaya 58:13.

¹ This topic is further expanded in "Production de Carne Kasher: Shechita Flies South" by Rabbi Zvi Holland (*Kashrus Kurrents*, Spring 2024) available at star-k.org/articles/kashrus-kurrents/13972/production-de-carne-kasher/.

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RAISING cane:

THE KASHRUS AND OTHER HALACHIC ISSUES OF CANE SUGAR



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The first reference to sugar in the Torah is in *Shir HaShirim* (5:1): “*yaari im divshi* – “my forest with my honey” – which some commentators¹ deem to be referring to cane sugar and deduce that sugar canes are considered trees.

Sugar is a fascinating commodity. It was not always as plentiful or cheap as it is today. A homemaker living in London in 1319 would have had to pay two shillings for a single pound of sugar – the equivalent of roughly \$50 in today’s dollars – and was unaffordable for most people. Even in the 1700s, sugar was considered a luxury item and referred to by some as “white gold.”

Fast forward to the current sugar market. Refineries nowadays can store more than 100,000 tons of raw sugar at a time. To put that staggering quantity into perspective, if all of that sugar was packed into 4 lb. bags and lined up lengthwise, the bags would stretch from New York to Israel – and beyond.

PRODUCTION OF CANE SUGAR

Sugar can be derived from a sugar cane plant or a type of beet appropriately called a sugar beet. We will limit our discussion to sugar derived from the former.²

Sugar cane is a tropical plant that grows to a height of between 10 to 20 feet. The cane, where the sucrose (the chemical name for ordinary sugar) is stored, resembles a bamboo stalk. After planting, the cane will reach its full height in twelve months, and when cut regrows in another twelve months.

The process of producing sugar is accomplished in two steps: one at sugar mills and the other at sugar refineries.³

► **Sugar Mills** – are located near the cane fields. The sugar cane stalks are washed and cut into shreds. Huge rollers then press the juice out of the shredded pulp, which is then clarified, concentrated and crystallized. It is then ready for refining.

This raw sugar is approximately 97-99% sucrose. A thin film of syrup covers the nearly pure sugar crystal and is comprised of water, minerals and other non-sugars.

► **Sugar Refineries** – refine the raw sugar. The syrup is removed through a washing process. The sugar crystals (now over 99% pure) are dissolved in hot water. Colorants are removed using carbon absorbents, and impurities are removed through a filtration process using diatomaceous earth, a type of pulverized rock. The sugar liquor is boiled, dried using hot air, separated into various sizes and packaged.

KASHRUS CONCERNS DURING SUGAR PRODUCTION

Are there kashrus issues relating to sugar? There are a host of materials used at various stages in the sugar production process that could give one pause. But are they truly a reason for concern? Let us explore.

Dairy Filtering Aids

During an inspection of a Chinese sugar factory about fifteen years ago, a mashgiach discovered that a milk protein was being used as a filtering aid to remove the impurities in the sugar. Apparently, the sugar had been passed through the milk protein in order to purify it. This finding was reported in several Jewish sources with sensationalistic titles such as, “Sugar May Now Require Round the Clock Supervision.”

However, there is “nothing new under the sun.” Over 500 years ago, there was a letter in the responsa of the Radbaz regarding sugar.⁴ At that time, milk was added to sugar during its production. The questioner, who was under the impression that the amount of milk was significant, asked whether this meant that sugar could not be eaten with meat. Due to various considerations, including the fact that the amount of milk was minuscule, the Radbaz was lenient.

The logic of the Radbaz holds true for the Chinese sugar production as well, since the amount of milk used was very insignificant. Additionally, this has not been found to be a widespread practice overseas, and to our knowledge is not being practiced in the U.S. at all. Moreover, a filtering aid does not end up in the final product.

Bone-Char Decolorants

The carbon decolorization at many cane sugar refineries occurs through the use of bone-char particles. These are electrically-charged pieces of burnt cattle bones. While one might assume that this would be a kashrus concern, in truth it poses no problem. This is because the bones are completely burnt, which causes them to undergo a chemical change that converts them to pure carbon. In addition, the bone-char is completely unfit for human consumption and, therefore, may be used in processing the sugar. The bone-char is subsequently removed from the sugar and is not chemically evident in the final product.

Treif Anti-Foaming Agents

The anti-foaming agents that control the froth which is created in the refining process can sometimes be of non-kosher animal origin. However, the amount used is insignificant and would be *batel* (nullified) in the sugar. Therefore, the kosher consumer may purchase any pure cane or beet sugar even without kosher certification. Of course, when STAR-K or other agencies certify sugar, the anti-foam used is always from a kosher source.

Passover-Specific Concerns

Extra care is required during Passover to ensure that raw materials used in the sugar production are free of *chometz* or *kitniyos*. Concerns specific to Pesach include:

► **Confectioners’ sugar, also known as powdered sugar.** Confectioners’ sugar is granulated sugar that has been ground into a smooth powder. A free-flow agent (generally 3%) is added to ensure that the sugar does not clump. Most often, this agent is cornstarch – which is *kitniyos*.

¹ *Tosafos Brachos* 36b.

² It is interesting to point out that in the parlance of the USDA, there is a difference between *sugars* and *sugar*. *Sugars* refer to all forms of caloric sweeteners, such as corn sweeteners and honey. *Sugar* refers only to sugar that comes from sugar cane or sugar beets.

³ Technical information for this article was supplied by C&H Sugar Company. The process has essentially not changed much over time. See for example a work first published in 1882 – *Sugar Growing and Refining: A Comprehensive Treatise* by C.G.W. Lock, G.W. Wigner and R.H. Harland.

⁴ 3:606.

Since Ashkenazic custom is to refrain from eating *kitniyos* on Passover, STAR-K cannot recommend the use of non-Kosher for Passover (KFP) certified confectioners' sugar during the holiday. There are several reasons for this. Some non-domestic companies use wheat starch as the free-flow agent, in which case the confectioners' sugar would be considered *chometz*. Confectioners' sugar that is certified KFP is manufactured without *kitniyos* or *chometz* agents.

Additionally, a sugar manufacturer that uses wheat starch in its confectioners' sugar can inadvertently create a problem for its regular sugar. If the confectioners' sugar fails to meet the company's standards, it might decide to "rework" it by reintroducing the confectioners' sugar into the regular sugar production line for reprocessing. In that case, there would be wheat starch present in the regular sugar. Although the amount of wheat starch in the sugar may be halachically insignificant and is nullified before Passover begins, one should not use such sugar on Passover. STAR-K has not found any company in the U.S. that currently uses wheat starch.⁵

► **Enzymes used to process sugar.** These may possibly be *chometz* and although added in miniscule amounts, if they are considered a *maamid* – a catalyst – they would render the entire batch of sugar *chometz*. STAR-K holds that they are in fact not a *maamid*, and would thus be *batel* in the sugar. Sugar that is certified KFP is produced without *chometz* enzymes.

► **Brown sugar.** Due to other ingredients (such as colorants) that may be added during its production, brown sugar requires Passover certification.

► **Bottom line.** Any pure domestic granulated white cane or beet sugar can be recommended for use on Passover.⁶ One who wishes to be stringent should purchase sugar with Passover certification. Doing so will provide assurance that all the above issues have been fully addressed.

OTHER HALACHIC QUESTIONS RELATING TO SUGAR

Aside from production concerns, we can encounter a host of fascinating halachic discussions and questions related to the use of sugar in many areas of Jewish life. See a few listed below.

What Is The Bracha On Sugar?

Generally, the sugar we eat is *tafel* (secondary) to some other food such as cereal, and does not require any bracha of its own. However, there is considerable dispute among the *poskim* regarding the proper bracha for sugar that is eaten alone.

Behag cites an opinion that the bracha for cane sugar is *Borei Pri Ha'eitz* because of the inference from *Shir Hashirim* that sugar cane is considered a tree.⁷ The Rambam, however, writes that the bracha is *Shehakol* based on his assertion that the cane is not a fruit since people do not eat the stalk. Others hold that the bracha recited is *Ha'adama*. The *Shulchan Aruch* rules in favor of the Rambam's opinion (O.C. 202:15.), since all agree that if one recites a *Shehakol* on any food he is *yotzei* (he fulfills his obligation).⁸

Do Orla, Teruma and Ma'aser Apply to Sugar?

Orla is fruit yielded by a tree during the first three years of growth. This fruit is biblically forbidden to be eaten, regardless of whether the tree grew in Israel or the diaspora. The question arises that if the cane is considered a tree, would the sugar extracted during the first three years of growth be prohibited?

5 Wheat is an allergen and companies are therefore hesitant to use it.

6 Raw or turbinado sugar undergoes the same initial steps of refining as white sugar, but is not fully refined. Its golden brown color is due to the natural molasses found in the sugar cane. Like white sugar, it may be recommended for Passover.

7 *Tosafos*, *Rosh*, *Tur*, *Taz* and *Gra* similarly hold that the bracha is *Ha'eitz*.

8 Beet sugar's bracha, according to some opinions, is *Ha'adama*. The halacha is that the bracha is *Shehakol*. *Biur Halacha* 202:15 (*Al Hatzukar*).

9 *Responso* 1:563, cited in *Birchei Yosef* Y.D. 331:22.

10 Also, it is *halacha l'Moshe mi'Sinai* that *safeik orla* in *chutz la'aretz* is permitted.

11 STAR-K research indicates that sugar is not currently produced in Israel in a meaningful quantity, and therefore, this is a theoretical question.

12 *Ikrei Hadat* O.C. 14:36. Rav Yaakov Chagiz (*Halachos Ketanos* 1:218) held sugar could be used to "salt" *korbanos*. See *Minchas Chinuch* 118:1 where he quotes Rav Chagiz.

13 *Divrei Chaim* Y.D. 1:25; *Yad Yehuda* Y.D. 69:97; *Salmas Chaim* Y.D. 3; *Har Zvi* Y.D. 66; *Rav Pe'alim* Y.D. 2:4. In Y.D. 69:21, the *Shulchan Aruch* rules that when one does not have salt, he must roast the meat to remove the blood. *Rav Pe'alim* contends that if sugar is effective, it would have been mentioned.

14 A *kli rishon* is a utensil containing hot food or liquid used to cook, bake or roast food.

15 Beet sugar is also cooked during its processing.

16 The reason is that according to some authorities, soluble foods dissolved in liquids are themselves considered liquids and subject to the prohibition of re-cooking cold liquids. Although most disagree with this view, *M.B.* 318:71 writes that it is best to be mindful of this.

17 A *kli sheini* is the utensil into which hot food or liquid is transferred.

18 *Shoel U'meishiv* 3:230 argues that since the boiling of sugar takes place at multiple stages of production, *bishul akum* does not apply. This is because the first time the sugar is boiled (during extraction), the result is an edible product, but it is not *oleh al shulchan melachim* (fit for a king's table), and therefore *bishul akum* does not apply to it. The second time it is boiled, a prestigious food is produced, but the sugar was already edible prior to the boiling. See, however, *Sdei Chemed maareches bishulei akum siman* 2.

19 *Chelkas Binyamin* 113:7.

20 *Tuv Ta'am Va'daas* 2:225. This reasoning would also apply to beet sugar.

21 O.C. 272:8. See also *M.B.* 21.

22 On Shabbos morning, there is additional rationale to be lenient, as one could even recite Kiddush over *chamar medina*. (*Minchas Yitzchok* 9:26.)

The *Radbaz* writes that even those authorities who rule that the bracha on cane sugar is *Borei Pri Ha'eitz* considered the cane a tree with regard to the bracha only.⁹ With regard to *orla*, however, the Torah specifically states that it applies only to fruits and not to juice squeezed out of the tree trunk.¹⁰ The *Radbaz* similarly concludes that the laws of *teruma* and *ma'aser* (the tithing of fruits and vegetables grown in Israel) do not apply to sugar as it is merely an extract of the cane and neither a fruit nor a vegetable.¹¹

Can Sugar Be Used for Melicha?

Some *poskim* permitted the use of sugar in place of salt to perform *melicha* (to remove blood from meat).¹² They maintained that sugar contains properties similar to salt, making it useful for preserving foods. Other authorities¹³ argued vehemently against this. The consensus is that one may not use sugar to "salt" meat.

Can Sugar Be Cooked on Shabbos?

By and large, dry foods which have been cooked are permitted to be placed in a *kli rishon*¹⁴ that is not set over a fire. This is due to the rule of *ein bishul achar bishul* (once foods have been cooked there is no prohibition to re-cook them). Since cane sugar is cooked during processing, it may be transferred to a *kli rishon*.¹⁵

However, to satisfy all opinions, it is preferable not to dissolve foods such as sugar in hot liquids that are in a *kli rishon*, even if the foods have been previously cooked.¹⁶ Note, however, that even according to the more stringent opinion, one may dissolve sugar in a *kli sheini*.¹⁷ Therefore, one may add sugar to a cup of hot tea or coffee without hesitation, as it is a *kli sheini*.

Does Sugar Have a Concern of Bishul Akum?

The fact that sugar has been heated during processing raises an interesting question regarding *bishul akum*. Should sugar be prohibited because it has been cooked by an *aino Yehudi*? Authorities who discuss this issue conclude that *bishul akum* is not an issue at all.¹⁸

Some assert that since cane sugar can be eaten raw by sucking on the cane, it falls under the rule of *davar hane'echal kmo shehu chai* (a food that is edible in its raw state), to which the laws of *bishul akum* do not apply.¹⁹ Other authorities state that since sugar is not generally eaten, except when absorbed into other foods, it is not subject to the laws of *bishul akum*.²⁰ The halacha is clear that one may partake of sugar without concern of *bishul akum*.

Can Sugar Sweeten Wine for Kiddush?

According to one opinion cited in the *Shulchan Aruch*, if sugar (or another sweetener) is added to wine, it may not be used for Kiddush since the use of sweetened wine for libations on the *mizbei'ach* in the Beis Hamikdash was prohibited.²¹ Wine used for Kiddush, which is also a holy purpose, should meet those same requirements. However, the custom is to follow the lenient opinions which do permit sweetened wine for Kiddush.²²



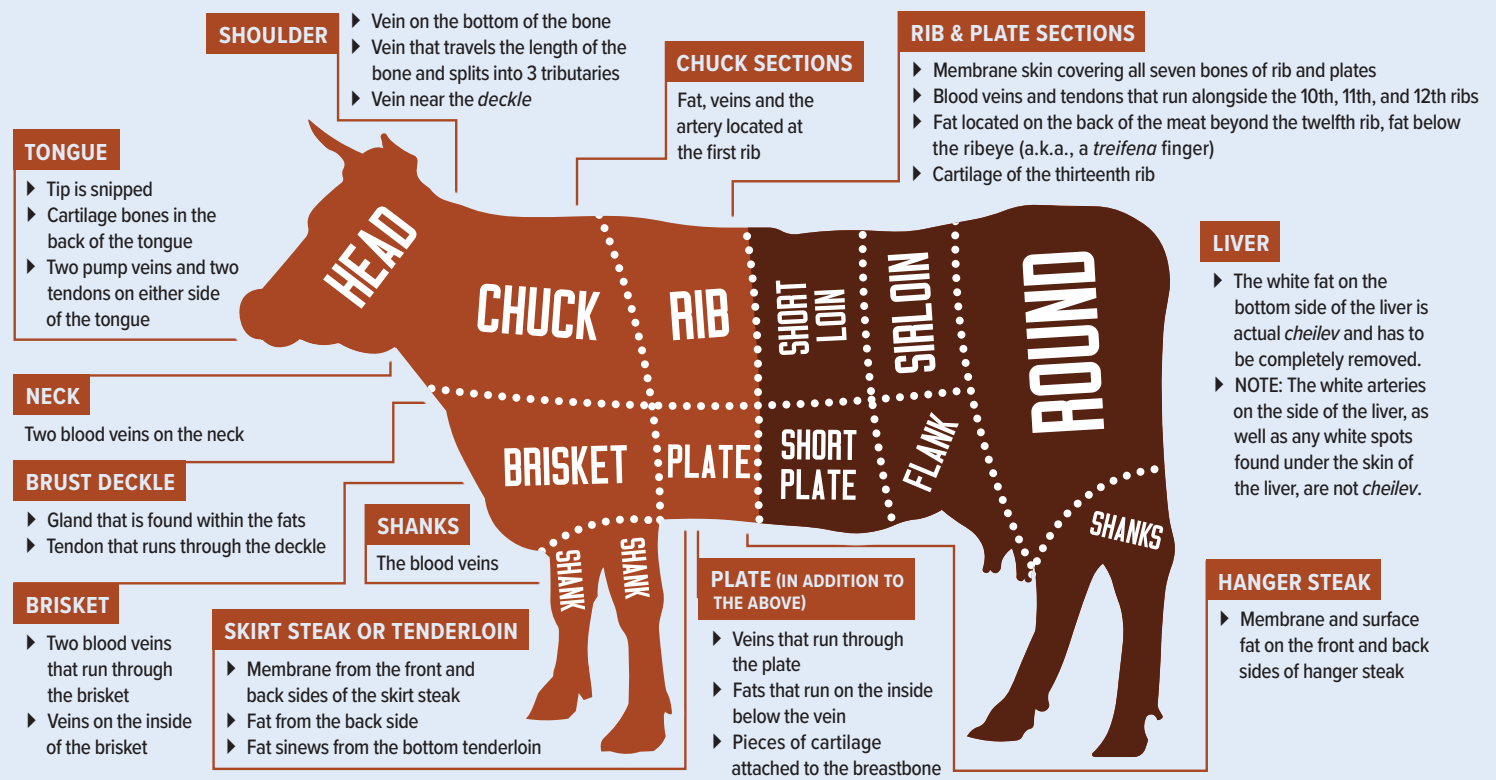
That a food as simple as sugar could give rise to so many halachic issues gives us but a small taste as to the remarkable depth and breadth of our Torah. ☆



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Fig. 1. **FOREQUARTERS** vs. **HINDQUARTERS**: What Is Treibored According to the Baltimore Minhag

The forequarters are *treibored* as shown below. The hindquarters (i.e., the area beyond the 13th rib), displayed here in the dark shaded sections, require *nikkur*, *hagid v'cheilev*. Due to the severity of the *halachos* involved, difficulty in execution and high cost, it is the custom in most communities not to process the hindquarters for kosher.



Generally speaking, it has been the custom of Ashkenazi Jews of European descent to eat Beit Yosef Glatt, Glatt and non-Glatt meats, and to accept all three as kosher. On the other hand, Beit Yosef Glatt meat certified only by Sephardi *hechsheirim* may rely on leniencies of the Beis Yosef that are not acceptable to Ashkenazim. STAR-K Beit Yosef Glatt certified meats are acceptable to both Sephardim and Ashkenazim.

The Glatt Kosher criteria apply to the meat of *gasos* – adult cattle (i.e., beef). This list includes the meat of steers, heifers, bulls, cows and buffaloes. Therefore, a butcher could legitimately advertise "Glatt Kosher" and "Kosher" rib steaks. Deer, sheep, goats, lambs, calves, and all fowl (chickens, turkeys, and ducks), however, are judged by a different set of halachic standards – they cannot have any adhesions whatsoever. Once they have passed the shochet's inspection, they always meet the higher standard and can be certified as Beit Yosef Glatt.

The Labeling of Glatt Kosher Chickens

Sometimes suppliers or proprietors will advertise "Glatt Kosher" chickens to promote their product. This implies that the Glatt Kosher chicken is of higher kosher quality than "Regular Kosher" chickens, and that a chicken could be kosher without being Glatt. This is a myth, since every chicken in the United States must be "Beit Yosef Glatt" to be considered kosher. The fact is that in the U.S. there isn't a concern of Virulent Newcastle Disease (VND) like there is in Israel, which obviates the need to check the lungs of domestic chickens.

In Israel, on the other hand, the lungs of the chickens must be checked due to the prevalence of the VND virus. In fact, there are two types of chicken that are sold in Israel: Mehadrin and non-Mehadrin. Mehadrin chickens, whose lungs are checked, are considered Beit Yosef Glatt, while the non-Mehadrin chickens are considered "Regular Kosher."

Treiboring/Nikkur

Regardless if the meat is advertised as Beit Yosef Glatt or Glatt Kosher, the kosher meat process does not end with the examination of the lungs.

There are many more steps that must be taken before the meat reaches the kitchen.

Certain fats found in kosher domestic animals are forbidden by Torah law. These forbidden fats are categorically termed *cheilev* and are present in all varieties of cattle, sheep and lambs. Fortunately, most of the forbidden *cheilev* is found in the hindquarters of these animals. In the United States and most European countries, the hindquarters are not processed for kosher use.

According to Jewish custom, *cheilev* removal includes not only actual *cheilev* but also various parts of the animal that touch the *cheilev*, fats that may be confused with *cheilev*, and those parts whose nutrition comes from *cheilev*. Additionally, the forequarters of these kosher species contain various blood arteries, blood veins, glands, membranes and tendons that must be skillfully removed by a trained expert before meat can be kashered (i.e., soaked and salted). This is because soaking and salting alone will not remove the blood.

The removal process is referred to as *treiboring* in Yiddish and *nikkur* in Hebrew. The one who perform this process is known as a *menaker*. *Treiboring* enables the free flow of blood from the meat during soaking and salting. The art of *treiboring* is not new to the Jewish scene. This tradition has been practiced and handed down from generation to generation. Understandably, many communities have their own *treiboring* traditions with their own unique customs and nuances. In Baltimore, the portions of the forequarter are *treibored* as shown above (Fig. 1).

Melicha

All meat and poultry must undergo a soaking, salting and rinsing procedure (*hadacha u'melicha v'hadacha*) before the meat can be further processed. This procedure must be initiated within 72 hours of the slaughter of the animal or fowl.

Some authorities permit the washing down of the meat within the 72-hour period to extend the time for kosherization for another 72 hours. Most Glatt Kosher facilities do not permit this practice, unless the meat was actually soaked in water for ½ hour within the 72-hour period. This



extends the kashering time for the meat for an additional 71½ hours. Unfortunately, the wash-down system has been severely abused and compromised in the United States. There are places that have been known to use a spray mist or damp rag instead of water to “wash down the meat.”

The soaking and salting process must follow these steps:

1. The meat is soaked for ½ hour in cool (not freezing) water ($\geq 50^{\circ}\text{F}$).
2. The exterior of the soaked meat is cleaned of any visible blood, then salted on all sides with kashering salt. For poultry, the inside cavity is also salted. The salt should be neither too fine nor too coarse.
3. The meat or poultry is placed on a board or rack which allows the outflow of blood from the meat.
4. The salt is left on the meat or poultry for one hour, then rinsed off three times to remove all the salt and blood.

Choosing Your Butcher: Integrity is Key

The process of *treiboring* and *melicha* by a reliable butcher, kosher provision house, or home cook must be done before the meat can be considered fit for consumption. It goes without saying that if the meat was procured from a slaughterhouse of questionable integrity, even the most stringent *treiboring* and kashering would render the meat problematic kashrus-wise.

Integrity and reliability, not Glatt or Beit Yosef Glatt labels, should be the true guiding principles for the kosher consumer. Therefore, it is always advisable to purchase meat that has been endorsed by a respectable rabbinic authority or kashrus organization. It is certainly advisable to purchase meat and poultry from a butcher who is scrupulous in his attention to the halachos involved and who displays genuine integrity and commitment to Torah and mitzvos. ☆



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CACAO OR COCOA: WHAT'S THE DIFFERENCE?

Before we continue, let's clarify the difference between cacao powder and cocoa powder, because they are not interchangeable. *Cacao* powder is unroasted and cold-pressed, resulting in an inherent bitter flavor, while *cocoa* powder has been roasted at high temperatures, often "Dutch-processed,"² giving it a milder flavor.

FROM CACAO BEAN TO COCOA POWDER

The cacao bean is one of Hashem's most fascinating creations. In order for its potential to be fully unlocked, it requires processing. The raw beans are cleaned and roasted in giant roasters – much like a coffee bean – to release the nib's delicious cocoa flavors. The bean is then ground into a paste known as *cocoa liquor*, the primary ingredient of chocolate.

Cocoa liquor produced from premium cocoa beans is rich enough to form chocolate, but liquor made from standard beans lacks richness and cannot be made into chocolate without the addition of *cocoa butter*.

What exactly is cocoa butter? The cacao bean is comprised of over 50% natural fat. When squeezed under enormous pressure in a hydraulic press, the 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 in this extraction process is a massive solid cake which, when ground, produces *cocoa powder*. Ironically, for the chocolate manufacturer, the *main* commodity product is the cocoa butter and the ground *by-product* is the cocoa powder.

Cocoa powder, unlike other powdered products on the supermarket shelf, is *not cooked*. Cocoa powder is simply ground from the cocoa cakes. This fact is halachically consequential when one wants to prepare hot chocolate on Shabbos.

HALACHOS OF COOKING ON SHABBOS

Let's review some basic Shabbos principles about cooking on Shabbos and see how it applies to cocoa powder.

The first principle regarding a food item that was cooked and is presently dry is *ein bishul achar bishul* (O.C. 318:4, M.B. 33) – once something is fully cooked, no subsequent cooking takes place, and one is allowed to put the item into a hot bowl of soup, provided it is off the fire.

The *Shulchan Aruch* (O.C. 318:5, Rama) posits: if something has been baked or roasted and is subsequently cooked, has one violated the prohibition of *bishul* on Shabbos? Case in point: can one pour hot chicken soup over challah that is resting at the bottom of your soup bowl? The *poskim* differ in their opinions. The halacha is to refrain from pouring hot soup from a pot (*kli rishon*) onto challah sitting in a soup bowl (*kli sheini*).

On the other hand, may one pour the soup *first* into the bowl and *then* put the challah in the bowl? The *Shulchan Aruch* (O.C. 318, M.B. 45) is hesitant. Preferably, the recommended sequence is: soup pot (*kli rishon*) to ladle to soup tureen (*kli sheini*) to soup bowl (*kli shlishi*) and, lastly, the addition of the challah or baked croutons to the soup.

What about spicing the soup with salt or black pepper? Table salt is essentially cooked and crystallized (O.C. 318:9, M.B. 73), hence, the *ein bishul achar bishul* principle applies here, and so salting hot soup is not an issue. Black pepper, however, is not so simple. Pepper is ground and, as is true for most spices, not cooked, and falls into a different category called *tavlin* (O.C. 318:10) – or food enhancers.

Here again, using our chicken soup example, one may not pour hot chicken soup from the pot (*kli rishon*) onto pepper sitting in an empty soup bowl (*kli sheini*). However, the *Shulchan Aruch* (O.C. 318, M.B. 65.) is more accepting to permit spicing of hot chicken soup on Shabbos: once poured into the soup bowl (*kli sheini*), one may add spices directly to the soup.

IMPLICATIONS FOR HOT CHOCOLATE ON SHABBOS

What practical ramifications do the halachic guidelines reviewed above have for our Shabbos hot chocolate challenge? As with any classic Jewish dialogue, we answer the question with another question: how does halacha view cocoa powder in a hot cocoa packet?

- ▶ Is the cocoa a stand-alone *primary* ingredient, similar to challah in chicken soup?
- ▶ Or, is the cocoa simply a flavor *enhancer* (*tavlin*), similar to black pepper in chicken soup?

According to the Rema, if the cocoa is viewed as a primary ingredient in the hot cocoa packet, it is preferable to pour the water from the urn (*kli rishon*) into a cup (*kli sheini*) and transfer it to a third cup (*kli shlishi*), into which the packet of hot chocolate may be mixed.

THE STAR-K'S CONCLUSION

Rav Moshe Heinemann *shlit"a*, STAR-K's Rabbinic Administrator, views the cocoa as a flavor enhancer, rendering it the halachic status of *tavlin*, and thus permits adding the hot cocoa into a mug of hot water (*kli sheini*). Note that under no circumstance may one pour water directly from the urn (*kli rishon*) onto the cocoa powder on Shabbos, which would constitute *bishul*, cooking an uncooked, roasted item.³

Clearly, the world of chocolate is a fascinating journey that raises a plethora of halachic *shailos* with every step. From *Yoreh Deah* (ingredients and process) to *Orach Chaim* (*brachos* and Shabbos), chocolate covers all the topics in an amazingly delicious way. ☆



2 In Dutch processing, the cacao bean is treated with an alkaline solution, typically potassium carbonate or sodium hydroxide, to increase its pH and neutralize its acidity.

3 A packet of KoSure hot cocoa is a blend of a sweetener (sugar/sucralose), Cholov Yisroel powdered milk, cocoa, vanilla sugar and cellulose gum. The ingredients are blended and packed in individual packets at room temperature. The recommended instructions are to empty the contents of one packet into a mug and to add six ounces of hot water. This method is precisely what is *not* permitted on Shabbos because the hot water poured from a *kli rishon* onto the cocoa blend would "cook" the mixture.



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