

THE

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CELEBRATING
30
YEARS
of the
DAF HAKASHRUS

Daf HaKashrus

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FOR THE KASHRUS PROFESSIONAL

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Eleven Broadway,
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Please direct your comments to
RABBI ELI ELEFF, Editor
at 212-613-0602 or
KOSHEREDUCATION@OU.ORG

Rabbi Yosef Grossman, z"l,
Founding Editor



Whats New for Pesach 2022

By Rabbi Shmuel Singer

The OU continues to give certification to Passover Quinoa.

Quinoa will be available with an OU-P from Goldbaum, Pereg, and La Bonne. Goldbaum and La Bonne will both have OU-P chia seeds. Pereg will also be selling quinoa flour. The OU will also continue certifying OU Kitniyot retail items as it did last year. Flaum's will be selling Sonny & Joe's OU Kitniyot hummus and tahini. Holy Hummus will also have three types of OU Kitniyot hummus. Ferrero will have OU Kitniyot Nutella Spread and Kinder Chocolate. Osem will also have a number of OU Kitniyot items. Telma corn flakes will also be available marked OU Kitniyot. Hot Pop OU Kitniyot Veggie Chips will also be available. All these products are clearly marked OU Kitniyot Ochlei Kitniyot and are all made with Mashgiach Temidi like all OU-P products.

Kedem continues to bottle grape juice under its own name as well as under the Savion and Gefen labels.

All these items have always been and will continue to be Mevushal. Kedem has one not Mevushal grape juice. This is bottled in 1.5 liter glass bottles and clearly labeled Non-Mevushal. Kedem also has Fresh Pressed Grape Juice as an OU-P grape juice made without sulfites. Kedem will also have Sangria Grape Juice and Sangria Sparkling Grape Juice. Kedem also has Pomegranate and Sparkling Pomogrape Juices with the OU-P certification. Passover vodka will be available from Lvov and Pravda OU-P vodka imported from Poland. OU-P liquors will be available under the Queen Esther, Spirit of Solomon & Gold Shot labels. Zachlawi will have OU-P arak and vodka. OU-P sorghum whiskey will be available with the Ethans Reserve label.

Manischewitz continues to bake matzah under OU Passover supervision. The OU has also agreed as in past years to place the OU-P on Aviv, Osem, Yehuda, Rishon and Holy Land matzah products coming from Israel. The items are supervised by local Rabbanim and are satisfactorily made with OU Pesach guidelines. In addition, we certify Yanovsky matzah baked in Argentina. This matzah is widely distributed in Latin America. This company manufactures various types of matzah.

Manischewitz has whole wheat matzah meal and whole wheat matzah farfel. These items are made from Manischewitz OU-P whole wheat matzah. They also make OU-P spelt matzah.

Manischewitz also bakes OU-P Matzah under the Horowitz Margareten label. Manischewitz continues to produce Egg Matzah as well as Passover Egg Tam Tams. These are made from egg matzah dough and marked as Matzah Ashira on the box. Manischewitz also bakes machine Shmura Matzah. In addition, Manischewitz makes a product known as matzah crackers. This is an ordinary matzah product and is not Matzah Ashira. This year Manischewitz will also be producing Manischewitz Handmade Shemurah Matzah. The various Israeli OU matzah companies will all be selling machine shmura matzah as well. The OU also supervises hand shmura matzah under the Holy Land label.

Manischewitz will again have gluten free OU-P crackers and gluten free OU-P matzah style

squares. Yehuda will also have these gluten free products as well as gluten free cake meal, fine meal, and farfel. Kedem will also have Absolutely brand OU-P gluten free flatbread and crackers as well as Jeff Nathan gluten free Panko Flakes. In addition, Manischewitz will have Jason gluten free coating crumbs and panko coating crumbs. None of these products are made from matzah and none of them can be used in the place of matzah. This is clearly marked on the label.

Coca Cola will again be available with an OU-P for Pesach in Regular and Diet flavors. Aside from the New York metropolitan area, Coke will be bottled in Jacksonville, FL and Los Angeles. Coca Cola items will be made with an OU-P in 2 liter bottles. All these items, of course, require the P symbol. All the Passover Coke items will be marked with a distinctive yellow cap bearing the OU-P symbol.

The Haddar line of Passover products will again be available. The Barton brand will be back again with the OU-P. A full line of Barricini candy items will be available with the OU-P symbol. Manischewitz will have different types of chocolate covered OU-P plain matzah.

Barricini will also have chocolate covered plain matzah. These items are all not Matzah Ashirah. Manischewitz will again have Matzah Smores. This is regular Passover matzah in a box containing additional ingredients to make this candy item. In addition, Barton will have OU-P chocolate covered regular matzah crackers. The Barton item is not Matzah Ashirah. Barricini will also have chocolate covered egg matzah. This item is Matzah Ashirah and labeled as such.

Norman's has a full line of Cholov Yisroel yogurt. In addition, there will be OU-P Cholov Yisroel goat cheese and sheep cheese from Barkanit and mozzarella, provolone and pecorino cheese from Yotvata.

J&J will have OU-P cottage cheese, cream cheese and farmer cheese. All of these will be Cholov Yisroel.

Bernies Foods will have Frankels blintzes, waffles and pizza as well as LeTova Kichel and bread sticks. These are not made with matzah meal. Dayenu pizza, rolls and pierogies are made with matzah meal. Manischewitz will continue to have its line of OU-P baked items including various types of macaroons such as Mini Macaroons Chocolate, Mini Macaroons Birthday Cake, and Mini Macaroons Coconut. Manischewitz will again have a number of cake mixes. These are all made with matzah meal. Le Chocolat will have chocolate cake mix, chocolate chip cookie mix and brownie mix. All of these are not made with matzah meal.

Tuna fish is available with an OU-P from Season, Gefen and Mishpacha. Shoprite OU-P Tuna in Water will also be available this year. Kirkland OU-P Smoked Salmon will also be available.

Kenover will be manufacturing OU-P Old Williamsburg Smoked Salmon and Old Williamsburg herring items including Herring in Wine Sauce, Herring in Horseradish Sauce and Herring in Beet Salad. They also have Williamsburg & Co. BBQ Smoked Salmon, Original Smoked Salmon and Maple Smoked Salmon. Gefen will have OU-P canned salmon in both regular and no salt versions. Kedem will have Sea Castle sardines in tomato sauce, olive oil and water. Vita will have smoked salmon, herring in wine and herring in cream sauce. The herring in cream sauce will be OU-P Cholov Yisroel. King Oscar sardines in olive oil will also be available.

Kedem will again have Sea Castle roasted seaweed and roasted spicy seaweed snacks. All these items are made with mashgiach temidi and Bishul Yisrael. Manischewitz will be producing three OU-P versions of Horseradish with Beets. These include Sweet, Bold and Sugar Free.

The OU position remains that OU supervised extra virgin

olive oil can be used without special supervision for Pesach. Zayit will have OU-P certified olive oil. Mother's olive oil pan coating spray, Mishpacha olive oil spray and Manischewitz olive oil spray will also be available with the OU-P symbol. Prepared olives with an OU-P will be available from Gefen, Osem, Kvuzat

Yavne, Gilboa and Mishpacha. The OU position is that all virgin coconut oil is acceptable for Passover.

Gefen will again have Nutra Taste Gold, as an artificial sweetener. It will also continue to offer Sweet & Low with OU Passover certification. Health Garden will again have OU-P Xylitol sweetener. This year Fox's U-Bet syrups will be available with OU-P certification. These syrups are all pareve. The OU continues to certify various White Rock, Stop & Shop and Adirondack seltzers as OU-P. Shoprite will be selling a number of OU-P certified flavored seltzers. These include Coconut, Lime Mint, Cherry Vanilla, Ginger and Raspberry.

The OU position remains that regular tea bags, which are not flavored or decaffeinated, are acceptable for Pesach without special supervision. In addition we have clarified once again this year that all Lipton unflavored decaffeinated tea bags are acceptable without special supervision. This is not true of other decaffeinated tea bags. Shoprite also has specially marked OU-P plain tea bags on the market. In addition Sweet-Touch-Nee and Wissotsky will continue to have Passover herbal teas. Nestea Instant Tea Powder continues to be acceptable for Passover without special certification as long as it is regular tea powder. The decaffeinated version is not acceptable for Passover. Some coffee companies add maltodextrin, which is either chametz or kitniyos, to instant coffee. As a result this coffee is not kosher for Passover. Only coffee bearing an OU-P symbol or brands listed in the gray area of the Passover Directory should be used. Both Folger's and Taster's Choice instant coffee remain acceptable without special Passover certification. This year we have clarified again that Folger's Decaffeinated instant coffee is also acceptable for Passover without special certification.

This is not true of other OU certified decaffeinated instant coffee. Other brands should be checked in the Directory. Ground coffee remains acceptable from any source as long as it is unflavored and not decaffeinated. There is a full listing of unflavored and not decaffeinated K-cups that are acceptable in the gray area of the guide.

Orthodox Union Mourns the Passing of HaRav Chaim Kanievsky zt"l

With profound sadness, the Orthodox Union joins the entire Jewish community in mourning the passing of Moreinu HaRav Chaim Kanievsky, zt"l, at the age of 94. Fondly known to one and all as "Rav Chaim," he was revered as the Gadol haDor (outstanding Torah scholar of the generation) and was the preeminent leader of the Torah community in both Israel and the diaspora.

Rav Chaim served as both a model and a guide. His diligence and consistency in Torah study was legendary, resulting in a stunningly encyclopedic knowledge of the vast corpus of Torah literature. He lived very simply and – despite the premium he placed on using every available moment for



Torah study – generously opened his home and gave of his time to the thousands who would seek his Halachic rulings, his counsel, his prayers, his blessings, or simply a word of encouragement and the opportunity to meet him.

We are all in mourning as the world has lost a unique "gadol beTorah," a giant of Torah scholarship and a model of piety, humility, and kindness. Rav Chaim's outstanding example will continue to inspire all of us to aspire to greater heights in the service of G-d, the study of Torah, and the care and kindness we extend to each other.

Yehi zichro baruch. May his memory be a blessing.

The Laws of Shemittah

Part 12 - לא תחנם

RABBI DOVID COHEN

Administrative Rabbinic Coordinator, cRc Kosher

דעת to sell the land and the mechirah is invalid. Thus, the advantage of the new form of mechirah may be outweighed by its disadvantages.

2 – לא תחנם to sell land

Assuming the Rabbanut must act as the sheliach for the landowner, we now move to Step #2 to consider if the prohibition of לא תחנם applies in this situation. The reasons to disagree with this are that לא תחנם might not apply if the sale is done to benefit Jews, if the sale is structured as a short-term sale, or if the buyer is not an idol-worshiper. There are significant halachic challenges to each of these reasons, and the standard assumption is that לא תחנם does apply.

3 – שליח לדבר עבירה

Even if we assume the Rabbanut must be a sheliach of the landowner, it has been suggested that שליח לדבר עבירה only applies if the שליח accepts that what he is doing is an “עבירה” and the person sending him therefore has reason to believe he will not fulfill his assigned task. But since the Rabbanut (a) believes לא תחנם does not apply (as per #2 above), and/or (b) has a history of performing the sale each and every shemittah, the principle of שליח לדבר עבירה אין does not apply.

Once again, there are significant halachic and practical questions on these suggestions.

4 – Invalidates the shelichus

The last of the four points is one which has a long “history” in Rishonim and Acharonim. Namely, assuming the Rabbanut is the sheliach of the farmer, the sale of the land is an aveirah, and we apply the principle of שליח לדבר עבירה אין, does that invalidate the shelichus? Does שליח לדבר עבירה merely mean that the agent takes full responsibility for the aveirah which he committed (instead of the one who sent him)? Or, does it mean that by dint of it being an aveirah his appointment as a sheliach is null and void, such that he was never even authorized to perform the act for the one who sent him? If that is correct, the Rabbanut is not the sheliach of the farmer and therefore the land is never sold...and there is no (heter) mechirah!

This question was elaborated on in a series of teshuvos from Nodah B'yehudah in which he cites many Poskim who had different opinions on the matter. Nodah B'yehudah accepts the position of Tosfos that the shelichus is invalidated, and Chazon Ish accepts this opinion as relates to the heter mechirah. Accordingly, he rules that a mechirah carried out by a sheliach (as the general heter mechirah is) is not valid because the aveirah element undermines and destroys the required shelichus. Those who support the heter mechirah accept the ruling of Nesivos Hamishpat that one may rely on the lenient opinion – at least as relates to our issue – and therefore the mechirah is valid.

In summary – in previous installments we saw reasons why some challenge the heter mechirah, and in this segment we discussed what Chazon Ish considered the most serious reason to reject the heter mechirah (לא תחנם). Contemporary Poskim have written considerably on the merits of these challenges and reasons why they might be incorrect, and these form the basis for why they do or do not accept the heter mechirah.

This series is excerpted from a full-length work which contains sources and additional details. This sefer, and others by Rabbi Cohen, are available for purchase at www.kashrushalacha.com. This series is excerpted from a full-length work which contains sources and additional details. This sefer, and others by Rabbi Cohen, are available for purchase at www.kashrushalacha.com

In previous installments, we discussed prerequisites required for the heter mechirah and challenges to whether there is a גמירת דעת for that sale. In this segment we will discuss the issue of לא תחנם and how that impacts the heter mechirah. This issue is based on a four-part line of reasoning:

In order for the Rabbanut to sell land which does not belong to them (i.e., for all the individual farmers), they must function as a sheliach (legal agent) of the landowners.

There is an issur d'oraisah, known as לא תחנם, to sell land in Eretz Yisroel to a non-Jew.

Accordingly, the Rabbanut is שליח לדבר עבירה (agent to perform an aveirah) and we apply the principle that אין שליח לדבר עבירה (one cannot be an agent to perform an aveirah).

When the principle of אין שליח לדבר עבירה applies, it invalidates the shelichus, such that the Rabbanut cannot sell the people's lands (Step #1) and shemittah applies.

If all of these are correct, the sale is invalid and the heter mechirah is ineffective, but if even one of them is incorrect then the issue of לא תחנם does not affect the mechirah. Accordingly, those who support the heter mechirah have suggested reasons to dispute each of these points, as will be noted below.

1 – Shelichus is required

This point is the one about which there is the least disagreement. Most suggestions of how the mechirah could be structured to avoid shelichus are quite novel or impractical. But in recent shemittos a method was actually implemented to address this point.

The vast majority of land in Israel belongs to the Israel Land Authority which gives 99-year leases to individual farmers and “homeowners”. Taking advantage of this nuance, instead of the farmers authorizing the Rabbanut to sell their lands for shemittah, they (effectively) returned their leases to the Israel Land Authority, and then the overseer of that body sold the entire land to the non-Jew. The return of the leases made one person in charge of all of the land, and he was able to sell it to the non-Jew without having to revert to shelichus! This was hailed as a clean way in which to avoid the concern of שליח לדבר עבירה אין since the sale could be accomplished without a sheliach.

While this provides advantages regarding לא תחנם, it is a downgrade from the perspective of גמירת דעת as was discussed in the previous installment. No longer can one claim that each individual farmer may be sincere about his sale (such that any lack of sincerity qualifies as דברים שבלב). If the majority of farmland is sold in one transaction by the government itself, there is a clear אגן סהדי that there is no

לא באתי אלא לעורר

Clam Flavored Drink

RABBI ELI GERSTEN

RC, Psak and Policy



A company makes a tomato juice product that contains a clam flavor. The amount of real clam flavor that is added to the drink is about 1 gallon per 2,000-gallon batch (.05%). In each batch, the company also adds 30 gallons of artificial flavor (1.5%). Do we view the clam flavor as a milsa d'avida l'teima? Must the keilim be kashered? Will this production affect the steam condensate return to the boiler?

Is clam flavor avida l'teima?

The Taz (YD 98:11) writes that the only items that qualify as an avida l'teima are those ingredients that are d'varim charifim (hot and spicy), such as salt and tavlin (spices). Therefore, the Taz writes that shuman (animal fat) although it is added for flavor, it is not considered an avida l'teima. The psak of the Taz was accepted by the poskim. [See Minchas Yaakov (85:61), Chochmos Adam (53:30) and Aruch Hashulchan 98:73] How should we view clam flavor? Although clam flavor is not a davar charif (it is not a hot or sharp flavor), it would seem that it too would still qualify as an avida l'teima, because it imparts strong flavor similar to a davar charif. The Taz did not mean that only a davar charif can be an avida l'teima, but rather it is a description of the level of strength necessary to be categorized as an avida l'teima. Only those flavors which are very strong, which can impart a strong taste well beyond shishim similar to a davar charif are included. Since concentrated clam

flavor meets this criterion, it too is avida l'teima.

The halachos of a milsa d'avida l'teima are more chamur than those for other non-kosher ingredients. The Aruch Hashulchan (YD 98 19-21) writes that a regular ingredient (such as shuman), once it is less than shishim can be assumed to no longer give taste and is batel. Although one can somewhat detect the effect of the shuman in the food, this is referred to as a ta'am kalush (weak taste) and is batel. However, when an issur is avida l'teima, even if it is diluted to the point that all that remains is a ta'am kalush, it is still not batel. This is what the Rema (YD 98:8) means when he writes that an avida l'teima even in 1000 parts is not batel, so long as the taste can be detected. Even if only a ta'am kalush of an avida l'teima remains, it is not batel. However, it is clear from the Rema and poskim that once the issur is diluted to the point that the ta'am cannot be detected at all, even an avida l'teima will be batel.

It should be noted that in this regard clam flavor is unusual in that it is an avida l'teima of issur that is used in the beverage industry. Although concentrated cheese flavors, meat flavors and fish flavors are also avida l'teima for the same reasons, these flavors are almost never used in beverages. Most natural and artificial flavors that are added to beverages, do not qualify as an avida l'teima. This is because although the overall flavor is avida l'teima, the issur component

in them is almost never an avida l'teima. A non-kosher flavor will only have the chomer of an avida l'teima if the flavor component is non-kosher. Although flavors can contain non-kosher carriers such as gelatin or glycerin, or be made using non-kosher kettles or dryers, none of these reasons would cause the flavor to have the chumra of an avida l'teima. (Another exception is non-kosher grape/wine flavors but that has other leniencies, which we have discussed at other times.)

Is avida l'teima assur min ha'torah or d'rabbanan?

There is a machlokes ha'poskim as to whether an avida l'teima that is batel b'shishim, but still gives strong taste, is assur min ha'torah (Ran) or d'rabbanan (Issur V'Heter). However, the Aruch Hashulchan (YD 98:75) writes that if the avida l'teima is diluted to the point that all that remains is a ta'am kalush, then all agree that this is only assur d'rabbanan. In our case, the .05% clam flavor might still give taste, but certainly not a strong taste. This would only be a shaila of an issur d'rabbanan.

Is the clam flavor detectable in the drink?

It is difficult to make this assessment. The end drink will definitely taste like clam, but this is because of all the artificial clam that is added. The natural clam flavor will add something to the drink, but this might only

be a zeh v'zeh gorem. It is possible that the clam on its own would not be detectable; only together with the artificial flavor does it improve the drink. Although, one might be tempted to consider this a safek d'rabbanan, in truth, this is a safek chisaron yediya, since in theory, the answer can be determined. Therefore, until we can establish otherwise, we must assume that the clam does impart a ta'am kalush to the drink.

Does the clam flavor make the entire drink assur because of Chanan?

The Pri Megadim (YD Mishbitzos Zahav 100:1) quotes the Tur that all issurim that are diluted to less than one sixtieth even if they are from the exceptions that are not batel b'shishim, still we will not apply the din of Chanan. This is because the halacha of Chanan is derived from basar b'chalav, and basar b'chalav will not assur if it is less than shishim. Although the Pri Megadim initially is unsure whether to follow this ruling, in the end he accepts this psak. Certainly, in our case, there is more reason to be lenient not to say Chanan, since we are only dealing with lach b'lach.

Must the keilim be kashered?

Since we must assume that the clam flavor is not batel in the drink, it will give ta'am into the keilim as well. Since there is ta'am of issur that is absorbed into the keilim, the keilim will require kashering. However, although the keilim require kashering, they may be kashered "ben yomo" (without waiting 24 hours). Ordinarily, one cannot kasher ben yomo (unless there is shishim), because the ta'am of the issur will give taste into water and the kashering water itself will become treif. However, in this case, since as explained before, we do not say Chanan, the miniscule amount of clam flavor that was absorbed in the walls of the equipment will definitely be batel b'shishim in the water. Still, the Rema writes (OC 452:2) that there is a minhag to always wait until a kli is aino ben yomo, so as not to cause confusion. However, if this will cause a hardship for the company we may allow kashering ben yomo, since this is the ikar ha'din. For this same reason, the steam condensate that was used to heat the kettles, that is returned to the boiler will not affect the boiler.

THE **Ingredient** PANEL

LARD – refers to purified hog fat. Lard is a primary component of many cooking fats and is thus often found in baked and fried foods. Lard is always non-kosher.

GLYCERIN – is the refined product of animal fats, vegetable fats, or synthetics manufactured from petrochemicals. Glycerin's smooth texture and ability to retain moisture make it an attractive food additive. It is found in flavors, chewing gum, candies, shortenings, emulsifiers and plastics. At times it is used as a sweetener. Because of the possibility of an animal source, glycerin is highly Kashruth sensitive.

ANIMAL FATS

Condolences

To the family of former OU RFR in Baltimore, MD, **RABBI DON MOSKOVITZ**, a"h on his recent passing.

Mazal Tov!

To our dedicated Rabbinic Coordinator, **RABBI AVROHOM GORDIMER** and his wife, on the engagement of their son Yaakov, to Rena Cohen of Chicago, IL.

To our devoted business manager, **RABBI HERBERT FRISCH** and his wife, on the engagement of their son Jeremy to Samantha Springer.

To our dedicated graphic designer, **ESTHER JACOBS**, on her marriage to Efrayim Schur of Brooklyn, NY.

?? Consumer Conundrums

CAN ONE KASHER DRINKING GLASSES FOR PESACH?

Shulchan Aruch (451:26) writes that glass does not absorb and therefore does not need to be kashered. However, Rama (Orach Chaim 451:26) writes that the minhag of Ashkenazim is that glass that had been used with hot chametz may not be used on Pesach even if it was kashered. There are two reasons given for this. One reason is because we compare glass, which is made from sand, to cheres (earthenware), which is made from clay. Just as cheres cannot be kashered, likewise glass may not be kashered. The other reason is because we are concerned that one might not kasher glass properly for fear it might crack. Chaye Adam 125:22 writes that if it is difficult to purchase new drinking glasses for Pesach, glasses, which are used primarily for cold drinks, may be kashered with hagalah.

This Consumer Conundrums is taken from OU Kosher's Halacha Yomis. For more information or to subscribe please visit <https://oukosher.org/halacha-yomis/>

