



Kosher Connections

Timely Insights into the World of Kashrus



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Candy Making

By Rabbi Dovid Aronin

On Purim, there is a mitzvah to send food items to one's neighbor. The halacha tells us that two types of food must be used to fulfill this requirement. Although only two types of food are required, many go above and beyond that requirement, and send baskets laden with different foods, including various candies. There are a variety of kashrus concerns in the production of candy. This article will take a brief look at three questionable ingredients used in candy production.

Carmine

The Rema writes¹ that one may use the dried out stomach of a cow to curdle milk into cheese. The reason is that since the stomach has been dried out, it is no longer considered edible, thus it loses its prohibition. Some suggest that this reasoning will permit the use of carmine. Carmine, also called Natural Red 4, is a pigment of a bright-red color obtained from the aluminum salt of carminic acid, which is produced by the cochineal scale insect. Carmine is routinely added to food products such as yogurt and certain brands of juice, the most notable ones being those of the ruby-red variety. The insects are killed by immersion in hot water or by exposure to sunlight, steam, or the heat of an oven, after which they are dried. Each method produces a different color that results in the varied appearance of commercial cochineal.

*Shu"t Tiferes Tzvi*² writes that since the bugs are dried out during processing, the issur is removed from them and the coloring obtained from the scale will be permitted. Others argue on this and reason that since the bug itself is being

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A Consumer's Guide to Kosher Beer

by Rabbi Akiva Niehaus

One of the most common, and likely the cheapest, alcoholic beverages you will find in the market is beer. Beer comes in numerous varieties, ranging from the classic IPA to the spiced Belgium beers, and there is something for everyone. When it comes to the kashrus of beer, there is a lot of confusion, with the consumer left wondering what may or may not be consumed. Let us take a fresh look and resolve the enigma.

Before deciding the kashrus of any food item, it is necessary to first understand the basics of its production.

Beer Production

Ingredients

Beer consists of four primary ingredients: barley (or other grain), hops, water, and yeast. In fact, according to the Bavarian Purity Laws of 1516 (also known as the *Reinheitsgebot*), beer may not contain any other ingredients. These four ingredients generally do not present kashrus concerns, and any company claiming to follow the *Reinheitsgebot* is likely kosher. However, aside from the fact that the *Reinheitsgebot* was deemed illegal in 1987 by the European Court of Justice, most countries never had those laws to begin with. This leaves the beer market wide open, and beer may be produced with virtually any ingredient a company desires, including oysters, clams, and lobster. (Take, for example, Rogue Brewery's Voodoo Doughnut Bacon Maple Ale.) This leaves the kosher consumer with great concern – how does

one know whether a beer is kosher? In addition, beer manufacturers often use a dizzying assortment of enzymes, extracts, and flavorings. Are these kosher?

Equipment

Even after the consumer verifies that a particular beer has all kosher ingredients, he still must be concerned about the equipment. Let us say that a brewery produces Oyster Stout, which is obviously not kosher; if they produce a standard, "kosher" beer on the same equipment, the "kosher" beer then becomes non-kosher.



Thus, in order for kosher beer to be kosher, one must be certain that 1) the ingredients are kosher, and 2) that the equipment is kosher and has not been used for non-kosher production. How, then, is it ever possible to know that a particular beer is kosher?

If a beer has reliable kosher certification, one can be confident that both the ingredients and the equipment are all kosher. If, however, a particular beer doesn't have a hechsher, he does not have such a reassurance.

Large Companies vs. Small Companies

At this point, it is important to distinguish between large, national and international companies, and smaller, local breweries. Large companies often stick to the tried and true products. They simply cannot afford to experiment and try

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used and the carmine retains its useful properties (its color)³, the fact that it is not edible is inconsequential.⁴ It is the consensus of all major kashrus organizations to follow the latter opinion and consider carmine not kosher.

Shellac

The *halacha* regarding carmine is different than that of shellac, or confectioners glaze. Shellac is a resin secreted by the female lac bug, on trees in the forests of India and Thailand. Shellac is scraped from the bark of the trees where the female lac bug secretes it to form a tunnel-like tube as it traverses the branches of tree. The raw shellac, which contains bark shavings and lac bugs removed during scraping, is placed in canvas tubes (much like long socks) and heated over a fire. This causes the shellac to liquefy, and it seeps out of the canvas, leaving the bark and bugs behind. The thick, sticky shellac is then dried into a flat sheet and broken into flakes, or dried into "buttons" (pucks/cakes), then bagged and sold. The end-user then crushes it into a fine powder and mixes it with ethyl alcohol prior to use, to dissolve the flakes and make liquid shellac.

R' Moshe Feinstein permits the use of shellac.⁵ Unlike carmine, the shellac is a secretion of the bug (*yotzie midavar tamei*). R' Moshe held that the laws governing secretions are different than those governing the item itself. In order for a secretion to be *asur*, it must be edible continuously from the time it

leaves the bug until it is consumed. If at some point the secretion becomes inedible it is given the status of *pirsha b'alma* (inedible excretion) and permitted. Therefore, since the resin secreted takes on a wood-like appearance right away, it is permitted. [This is in contrast to carmine which is the insect itself, and therefore whenever it is in an edible form, it is forbidden even if it was "temporarily" dried and inedible.] R' Eliyashiv disagreed with R' Moshe. He argued that the secretion of an edible item becomes permitted if it (the secretion) is inedible, but if the original forbidden item (the lac bug) is forbidden even though it is also not edible, then the secretion should remain forbidden.

Most of the national American kashrus agencies follow the ruling of R' Moshe and permit the use of confectioners glaze.

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strange and unique products. In fact, Anheuser-Busch recently announced their first new beer in 15 years! On the other hand, smaller breweries, often referred to as microbreweries, heavily experiment with their brews, often producing one experimental run before moving right on to the next. In fact, the author is familiar with one brewery which has produced over 600 unique beers in just five years! Small breweries often have no qualms with producing an Oyster Stout followed by a standard beer, and the unsuspecting consumer often has no clue what was produced on the same line. Take, for example, Wynkoop Brewing Company, which produces Rocky Mountain Oyster Stout; the kosher consumer should certainly wonder what products were produced on the same line.

Since the large companies provide some stability, the consumer may feel some sense of confidence as to what kind of products are being produced. In contrast to small breweries, large breweries are somewhat less likely to experiment with potentially non-kosher ingredients.

Another difference is the production quantity. Large companies by necessity have large equipment and vats, as opposed to small breweries which may use small vats, often small enough to fit in a standard garage. This difference plays a big role when determining the effect of non-kosher beer on the production line: Even if a large brewery were to produce a non-kosher beer, the sheer volume of their production would likely render any non-kosher ingredients *batul* (nullified). This may not apply to smaller breweries due to the somewhat smaller production volume.

Other differences, such as standard cleaning procedures, at which point the flavors were added, and whether the equipment is in use seven days a week, may play a role as well.

Conclusion

In conclusion, any flavored beer requires reliable certification, due to the sensitivity of the flavorings. With regard to unflavored beer, it would depend on the type of brewery. Large companies, with national or international distribution, are less problematic due to their large production volumes and minimal experimentation with sensitive ingredients. Small breweries, however, are more problematic due to their sense of experimentation and heavy use of flavorings. One never knows what was produced on the same lines as a seemingly innocuous beer.

One of the difficulties facing the kosher consumer is how to determine what is classified as a "small" brewery. The general protocol is to ascertain the product's market: a beer which is only available in a local region is likely a microbrewery. To help the consumer, cRc-Kosher has recently added hundreds of beers to our ever-popular Liquor List (www.cRcWeb.org/LiquorList.pdf) to grant some direction in determining the status of some popular breweries. Nevertheless, due to continual changes in the liquor industry, beers with a reliable hechsher are certainly preferable. As a matter of fact, the cRc Liquor List has over 250 beers with a reliable hechsher, certain to accommodate any taste or flavor.

The next time you find yourself looking for a beer, keep this information in mind to help find a kosher beer. **A Freilichen Purim!!**

Fish Gelatin

An alternative to beef gelatin that is currently being used is gelatin made from fish skins. It is well known that one may not eat fish with meat, as this can cause a *sakana* (life threatening illness). Would this *issur* apply to products made with fish gelatin as well? The answer would depend on how much fish gelatin is contained in the product.

In general, if a non-kosher item is mistakenly added to a kosher food, one can nullify the forbidden item if there is sixty times (*shishim*) more permitted food than forbidden food). The *Taz*⁶ quotes the *Darchei Moshe* who says that *sakana* is more strict, and nullification is not effective. The *Taz* brings a proof from the *Maharil* who writes of a case where fish got mixed into a pot of meat, The *Maharil* decided that the entire pot was forbidden because of the danger to one's health. We see that the fish was not nullified. The *Nekudas HaKeseif* argues on the *Taz's* proof saying that perhaps in the *Maharil's* case there wasn't sixty times more permitted food in the pot. But, perhaps if there had been, he would have permitted the food because the fish was nullified. The *Nekudas Hakesef* and *Aruch HaShulchan* conclude that the fish can be nullified and may be eaten with meat.

Most kashrus agencies are of the opinion that fish can be nullified in the product and one would be allowed to eat that product with meat. However, if the fish gelatin is not nullified in the product, one would not be allowed to bake that product with meat.

1. YD 97:10
2. As cited in *Pischei Teshuva* YD 97:20
3. Rav Yisroel Belsky, Posek, OU
4. Based on *Igros Moshe* YD 2:24
5. *Igros Moshe* 2:24
6. YD 173:2