

ספירימ

סיוע לציבור, פסקי הלכה, רכיבים, מארעות ומדע
Updates for the cRc Kashrus Professional

סיוע לציבור
COMMUNITY

Kosher Body Soap

Bar-soap has always been made from (non-kosher) animal fat and there are respected halachic authorities that hold that one should not use such soap for washing their body. However, the common practice is to be lenient on this issue because (a) many disagree with the aforementioned opinion and (b) some argue that our soaps are sufficiently inedible that even the stricter opinion would agree that they can be used in spite of their being made from non-kosher animal fat. [The use of non-kosher soap for dishwashing is a separate topic, which is beyond the scope of this article].

Rabbi Ari Zivotofsky wrote a thorough article on this topic, which can be accessed by clicking [here](#). A brief discussion on the topic with additional sources cited in the footnotes, can be found by clicking [here](#).

One who chooses to adopt the stricter approach to this issue has two choices:

- Purchase bar-soap made of vegetable oil that are either marketed to the kosher or vegetarian consumer market. See the footnote for links to some sites that sell such products.¹
- Use a liquid body soap, as those are typically not made from animal fat (although they may have some non-kosher ingredients).

ספירימ

Visiting Israel During Shemittah

Issues 1-2 featured an article on *Shemittah* which focused primarily on how that *Mitzvah* affects those of us in the United States. A modified version of that article which focuses on Americans who visit Israel during

¹ Rokeach sells a kosher bar soap made of coconut oil (whose properties are very similar to animal fat) which it labels as being for dishes, but is likely equally suitable for body washing. It can be found at many kosher supermarkets (including Kol Tuv) or online at <http://archive.kosher.com/searchResults.cfm> and elsewhere. An example of body soap made of vegetable oil and marketed to vegetarians can be found at <http://www.neolia.com/>, and there are undoubtedly others. There is legitimate halachic rationale for accepting the company's claim that the soap is, in fact, free of animal products; there is no reason to assume the ingredients aren't made on non-kosher equipment, but that would likely not pose a concern as relates to body soap.

Shemittah will be distributed at Rav Schwartz's dinner. The modified version contains a number of additions and changes, plus the following new section on *Kedushas Shevi'is*.

Kedushas Shevi'is

The halachos of *kedushas shevi'is* can be divided into the following areas (the *mitzvah* of *biur* was discussed earlier in the article):²

1. Eating without wasting

One may use *shemittah* produce for just about any use as long as that use isn't considered a "waste" of the fruit. In this context, the term "wasting" includes any use other than the common ways that item is used. For example, lemons are almost always eaten as a juice so they may not be eaten as-is, oranges are commonly eaten as-is or as juice so they may be eaten in either manner, but peach juice is so rare that one is "wasting" a peach if they use it for juice production. Similarly, one may not cook a *shemittah* pear or apple as those fruits are typically eaten raw, and there are restrictions on which foods may be fed to non-Jews and animals or used as oil in a *Chanukah Menorah*, *Shabbos* lights or lamp. The application of these halachos fluctuates based on people's eating habits – for example, in the USA, pomegranate juice is much more common this *shemittah* than in previous ones – and one should consult with a Rabbi to resolve any uncertainties.

Although there is no obligation to eat *shemittah* produce, another element of the aforementioned halacha is that one may not actively waste it.³ Therefore, for example, one may choose to not eat the peel of a *shemittah* apple but they can't throw it out, and a person doesn't have to drink up all the wine from *havdalah* but they can't extinguish the *havdalah* candle

² The first two areas discussed below (wasting & exporting) are delineated in chapter 5 of *Rambam*, and the third (transacting) can be found in chapter 6.

³ *Chazon Ish* 14:10.



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in that wine.⁴ As a result of this halacha, many people keep a special “*Shemittah bin*” in which they place leftovers, peels and other *shemittah* produce that they aren't going to eat; the food remains in the bin until it is inedible at which point it may be discarded.⁵

2. Remaining in *Eretz Yisroel*

Foods with *kedushas shevi'is* may not be taken out of the halachic borders of *Eretz Yisroel*,⁶ except for small amounts necessary for a trip.⁷ This, of course, means that *Shemittah* produce cannot be brought back to the United States from a trip to Israel, and there is in fact considerable discussion as to if and why *Esrogim* may be exported from Israel for the *Succos* after *shemittah*. It is noteworthy that certain parts of the State of Israel are outside the halachic border of *Eretz Yisroel*, and consumers should seek the guidance of a Rabbi before they bring food to the Golan Heights, the *Negev* and other areas close to the State's borders.

3. Buying and selling

Shemittah produce may not be sold in the normal manner that other fruits are, which even includes that the fruit may not be sold by weight or quantity (i.e. 3 for a dollar). Some of the methods of circumventing parts of this prohibition are by buying the *kedushas shevi'is* produce together with non-*shemittah* items, paying with a credit card (i.e. where no money changes hands) or by prearranging with the merchant that he should serve as your agent to buy the food from the farmer/producer. Consumers who wish to purchase such produce are encouraged to discuss these issues with an Israeli Rabbi for practical direction in this matter. As noted earlier, if food with *kedushas shevi'is* is sold in any manner, the money used in the transaction also acquires *kedushas shevi'is* (while the original food retains its *kedushah*).

If one violated any of these halachos, the food remains permitted and may be consumed.

⁴ See *Chazon Ish* ibid. and *Derech Emunah*, *Tziun HaHalacha* 5:19 for these and other examples.

⁵ *Derech Emunah* 5:13; see there for more details.

⁶ *Rambam* 5:13.

⁷ *Derech Emunah* 5:95.

Phenethyl Formate

2-Phenylethyl Formate, which typically goes by the name Phenethyl Formate, is an ester of phenethyl alcohol and formic acid. The following overview of the term “ester” and the ingredients used in this raw material will explain why it is a Group 1.

The technical definition of an ester is a compound that reacts with water to produce alcohols and organic or inorganic acids (Encyclopedia Britannica), but in the kashrus world we think of esters by how they are typically made commercially – by reacting an alcohol with an acid – with the name of the new compound reflecting these two components. For example, ethyl butyrate is an ester created by reacting ethanol with butyric acid, and since this is an ester the first half of the new compound's name (ethyl) must end in “yl” and the second (butyrate) will end in “ate”. Esters are typically quite fragrant and flavorful, and in nature they are a common component of the bouquet of chemicals that “flavor” foods. Ethyl Butyrate has a fruity taste suggestive of banana and pineapple (Arctander), and, as you might guess, it is found in both of those foods (plus many other unexpected foods including olive oil and mussels).

Flavor companies have taken their cue from *Hashem* and use esters extensively to flavor foods, where in our example, ethyl butyrate delivers a “sweet top note” to all types of fruit flavors. Since certain alcohols and many acids are kosher sensitive, esters as a group are themselves kosher sensitive. The original subject of our discussion, Phenethyl Formate, is a perfect example of the above, as it is created by reacting phenethyl alcohol and formic acid to create a chemical with a rose-like odor and a bittersweet taste suggestive of unripe plums (Fenarolli).

Let us now turn to see whether these two components, phenethyl alcohol and formic acids, are Group 1. Phenethyl alcohol naturally occurs in roses and many other items including fusel oil (a byproduct of whisky and brandy distillation), but commercially it is typically sourced from toluene, benzene or styrene, which are all Group 1 ingredients. Formic Acid earned its name because it was originally obtained from red ants which are classified as

members of the *Formicidae* family, but nowadays it is produced from ingredients that are much more innocuous, and formic acid is therefore a Group 1 ingredient.

With this knowledge, we can comfortably declare that Phenethyl Alcohol, Formic Acid, and the ester of the two of them – Phenethyl Formate – are Group 1 ingredients. We can also expand our list to include the following synonyms of these chemicals:⁸

Chemical	Synonym
Phenethyl Alcohol CAS # 60-12-8	1-Phenyl-2-ethanol 2-Phenethyl Alcohol 2-Phenylethanol Benzenethanol Benzyl Carbinol Beta-phenylethyl alcohol Hydroxyethylbenzene Orange oil PEA Rose oil β -Hydroxyethylbenzene β -PEA β -Phenylethanol
Formic Acid CAS # 64-18-6	Aminic acid Formylic acid Hydrogen carboxylic acid Methanoic acid
Phenethyl Formate CAS # 104-62-1	2-Phenylethyl Formate Benzeneethanol formate Benzylcarbonyl formate Formic acid phenethyl ester Phenethyl alcohol formate β -Phenethyl formate β -Phenylethyl formate



Measuring Yad Soledes Bo by Hand

A popcorn company produces two types of popcorn, kettle cooked and air popped, and they produce two products on each line (kettle corn and white on the kettle line, and two variations of cheese corn on the air popped line). We're convinced that the lines are dedicated as noted above; the reasons are beyond the scope of this article but are presented in the footnote.⁹

⁸ The synonyms are culled from <http://webbook.nist.gov/chemistry/name-ser.html>.

⁹ The reasons why we aren't concerned the company will interchange the use of the kosher and non-kosher lines are:

- Air popped popcorn tastes considerably worse than kettle cooked corn, so they'd never run the kettle cooked products on the non-kosher/air-popped line. The cheese popcorn can only be made on the air popper because the cheese flavor masks the taste of the underlying popcorn.
- The kettle poppers are batch cookers while the air popper is a continuous system. The tumbler in which the seasoning is applied, is fine-tuned to apply an equal amount of seasoning to each kernel, based on the assumption that the popcorn will continuously and consistently be fed into the tumbler, which would never work properly if they popped the corn in the batch poppers.

There are two major differences between the two lines:

- Seasoning.....On the kettle cooked line, the kernels, salt and seasonings are put into the kettle in batches. Once the corn pops it is sent through a seed separator (to remove un-popped kernels) and then onto the vertical conveyor to go to packaging. However, on the air popped line, the kernels are air popped without any other ingredients present. Then they go through their own seed separator and fall into a tumbler where a <115° F mix of oil, cheese and seasoning is sprayed onto the popcorn, before it falls onto the aforementioned vertical conveyor to go to packaging.
- Temperature.....The seed separating of kettle cooked products works best if the popcorn is not too hot and therefore there are cooling fans near that separator, while the separator on the air popped line doesn't require or have any cooling.

The products flavored with cheese are not kosher; therefore the question is whether we can certify the kettle cooked products. As noted, the two lines are completely separate until the product reaches the vertical conveyor, so we can narrow the question down to whether there are *b'lios* into and out of the conveyor. A little probing revealed that after every cheese run, the equipment is so dirty that it must be power-washed with >200° F water,¹⁰ such that there seems to be no question that the vertical conveyor absorbs *b'lios* of non-kosher cheese. If so, the real issue seems to be whether the kettle cooked products are hotter than *yad soledes bo* (120° F) when they reach the conveyor such that they draw *b'lios* out of the conveyor.

How should we measure the popcorn's temperature?

The company suggested using an infrared thermometer to measure the temperatures but we didn't feel comfortable relying on that method because those instruments are notoriously unreliable for measuring exact

- The cheese seasoning has oil in it, and a kernel that was fried in oil and then sprayed with oil would taste too oily and soggy, so the kettle popper couldn't be used for the cheese products.

¹⁰ The good news is that since the popcorn is hydrophilic (attracted to water), they must let the equipment dry for about 24 hours after every wet wash before they can produce white or kettle corn. As such, we can be reasonably assured that the equipment will be *aino ben yomo* from non-kosher products, when the kosher products are run.

temperatures as they must be carefully calibrated for emissivity and other items. Measuring with a typical temperature probe also wouldn't work as the popcorn cools too quickly to get an accurate reading. Therefore, to measure the temperatures, we asked the *Mashgiach* to do as follows:

1. Get a meat thermometer (which can be bought in most supermarkets for less than \$10 and is a worthwhile investment).
2. Mix a few samples of hot water from a kettle, and warm water from your kitchen sink, and:
 - a. Measure the temperature of the different samples.
 - b. Slowly pour samples that are between 100° F and 140° F onto the palm of your hand.

This exercise should give you a general idea as to what *yad soledes bo* / 120° F feels like on your palm.
3. At the company, catch popcorn in your palm as it is falling onto the vertical conveyor, and record your findings as to whether it is or isn't *yad soledes bo*.
4. Repeat Step #3 at different parts of the line to try to get an understanding of when it drops below *yad soledes bo*.

Of course, in the times of *Chazal*, *yad soledes bo* was always measured with a hand/*yad* but in our modern age it would be fair to ask whether measuring popcorn temperature in one's hands is the most efficient or accurate way of knowing its temperature. In this case, measuring by hand is just perfect because (a) there isn't any other simple method to measure the temperature of a product like this which cools so rapidly and (b) we were only going to certify popcorn which we were sure is cooler than *yad soledes bo* under all circumstances (i.e. at all times of the year, even after the equipment has been heated by many previous batches etc.). As such, if the *Mashgiach* had any question as to whether the popcorn was hot, we were prepared to not proceed with certification, and his testing was merely to see if the product was surely below *yad soledes bo*. [Curious about what happened during the test? See the footnote].¹¹

¹¹ The *Mashgiach* visited the company while they were producing both types of popcorn. He reported that the white corn (and cheese corn) products were



Unannounced Visits

Now that the World Series is over, professional baseball teams will spend the next few months reviewing their performance this year and planning for next season. Those of us involved in kashrus were treated to two lessons from a recent investigative report. Over the past few years, Major League Baseball has taken a number of steps to weed out the use of performance enhancing drugs by its players. A major part of that program is unannounced, random drug testing in team clubhouses.

The New York Times¹² found that the testers regularly call the teams a day or two before they visit to request parking passes. These 24-48 hours of advanced notice are enough to give players a chance to flush the drugs out of their system and test "clean" even if they really aren't.

The article quotes the reaction of John Hoberman, a doping expert:

This is scandalous that anyone would insert this kind of loophole in a system and not include it in the written regulations. They are opening the door to serious doubts about the integrity of the program.

The two lessons for us are rather clear. Firstly, it reminds us of the *mirses* created by unannounced visits, which serve as the backbone of our *hashgachah*. The second, more subtle, lesson is that an investigator's judgment can easily be clouded by the perspective of receiving even the smallest gift. Although the contract with the teams says that the visits will be unannounced, the lure of free parking passes caused this rule to be overlooked.

The Major Leagues have a few months to sort out this fiasco, but we can draw lessons to improve our game right away, as one member of the league is quoted as saying "The process continues to evolve, we have an open mind, and if there is a way to make it better we will do it".

well below *yad soledes bo*, while the kettle corn product was borderline. Thus, we may certify the white popcorn but not the kettle corn. It appears that the reason for the discrepancy between the white corn and kettle corn products is that the kettle corn has more caramelized sugar on its surface which helps it retain its temperature for longer.

¹² <http://www.nytimes.com/2007/10/31/sports/baseball/31testing.html?th&emc=th>.