



Kosher Certification

cRc Guide to Starbucks Beverages

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A. Introduction

In the late 1980's Starbucks first began expanding out of their home base in Seattle, and the coffee world has not been the same ever since. Starbucks changed coffee-drinking from a personal pleasure into a social and cultural experience. Ever since there have been questions as to exactly what a kosher consumer can drink at a Starbucks store.

Most kosher consumers first approached the question with the simple principle of "you can buy a black coffee anywhere". They started to question this principle when they realized that the stores sell items as varied and unexpected as Cinnamon Dolce Crème Frappuccino, Espresso Macchiato, and Caramel Brulée Latte, and they became downright concerned when the chain introduced hot sandwiches such as "Turkey & Swiss Cheese" and "Chicken Santa Fe Panini". No longer was this a simple coffee shop, and it became clear that unless a given store was kosher certified, the consumer would have to be selective about what they could drink.

This article – based on visits to multiple Starbucks locations, interviews with current and former company personnel, research of the halachic principles, and discussions of all of the above with experts in the field – will attempt to clarify the multiple issues involved, and will be divided into the following sections:

- The Starbucks Store
- Inherent Kosher Status of Items
- Transfer of *Ta'am*
- Practical Applications
- Certifying and Semi-Certifying a Starbucks

Please note that the information presented in this article is current for Starbucks locations in the United States, but is subject to change and may be different in other countries.

B. The Starbucks Store

1 - Full Service vs. Kiosk

There are two models of Starbucks stores:

- Full Service stores are freestanding enterprises which are owned and staffed by the company, and serve a full menu of items. Of particular concern is that they (almost) always sell hot, non-kosher sandwiches, and clean their dishes in a sink

and a sanitizing dish-machine. This will be discussed in more detail in the coming sections.

- Kiosks are smaller stands which belong to and are operated by a chain store or other food service provider (e.g. airport restaurant) under license from Starbucks. These stores have a more limited menu than the full-service stores; they typically do not sell hot sandwiches, and often do not have a sanitizing dish-machine. [Some kiosks share sinks and other equipment with nearby stores; those Starbucks facilities have the status of full-service stores noted above.] They operate according to the corporate standards of food preparation and cleanliness, but may have somewhat different procedures than the full-service stores.

2 - In Front of the Counter

Most Starbucks stores have packaged items on the customer side of the counter which are available for sale. Those include Starbucks branded utensils (e.g. mugs) and foods¹, and other snacks and drinks. The kosher status of those items is not the subject of this article.

3 - Behind the Counter

The Starbucks baristas (Italian for bartender, and the title used for Starbucks employees who prepare beverages) prepare a dizzying variety of beverages using the following four primary areas:

- Coffee Brewer

This is a simple coffee machine which brews plain, unflavored ground coffee beans (regular and decaffeinated) into drinkable coffee. The coffee grinds are placed on top of a filter paper which in turn is supported by a metal filter basket, and then hot water pours through the grinds and drips through the filter into the waiting insulated “pot” (a.k.a. urn). As needed, coffee is poured into cups through the spigot found on the bottom of the pot.²

The brew-pots are never used for flavored coffee; rather, flavor “syrup” is squirted into individual cups of coffee as per the customer’s request.

¹ For example, (a) unflavored VIA instant coffee is certified kosher but the flavored versions are not (yet) certified and are therefore not recommended at this time, (b) many – but not all – varieties of bottled frappuccino are certified by Rabbi Z. Charlop (and marked “KD”) and recommended even though the frappuccino base used in the stores is not certified and not recommended.

² It is noteworthy that during some hours of the day a kiosk (or a less-busy store) may choose to not maintain a pot of decaffeinated coffee because there aren’t enough customers to justify it, and will instead brew individual cups when a customer asks for that beverage. In order to do this, the barista will put coffee grinds into a miniature (plastic) brew basket and (paper) filter directly above the customer’s cup, and pour hot water through those grinds directly into the cup. [The equipment used for this is called a “pour over brew station”.] The water used for that coffee will usually be carried from the hot-water spigot in a plastic pitcher; that pitcher and the pour over brew station may possibly be washed together with the other dishes (as will be discussed below).



- Espresso Bar

This dual-purpose machine is used to produce espressos and steamed-beverages, as follows.

The espresso side of the machine is essentially a coffee brewer which uses pressure to produce individual cups of coffee (rather than whole pots) which are concentrated to fit into a small shot-glass. These “shots” of coffee are called espressos. Some customers drink espresso as-is, but most use them as part of some other beverage such as an Americano (a shot diluted into a full serving of hot water), or a Latte (a shot mixed into a cup of steamed milk).

The steaming side of the machine has (one or) two stationary, vertical steam “wands” which are each about 5 inches long and 1/3 inch in diameter, and are parallel to one another. Milk (or another beverage) is put into a special 5 inch tall metal cup which is slipped under the wands such that the wands reach down all the way into the milk, and steam blows through the wands into the milk. The steamer is used for milk, soy milk, cream, eggnog (during certain months of the year), and apple juice. Steamed beverages can be drunk as-is (e.g. steamed apple juice or milk), but is often combined with an espresso shot to create a latte.³ Steamed milk is also put on top of a (reconstituted) cocoa base to create hot chocolate.

- Oven

Starbucks offers a variety of salads, pastries, baked goods, and sandwiches, all of which arrive at the store after being baked/prepared, and individually wrapped elsewhere. However, the stores do offer to warm sandwiches in a small warming oven which uses both microwave and standard heat simultaneously. Sandwiches are put onto a piece of wax paper which in turn is put onto a rectangular ceramic plate that remains in the oven (except for when it removed for cleaning), and once the sandwich is hot enough it will be put onto a smaller, round ceramic serving plate, cut in half (if the customer requests), and given to the customer.

- Blender

Every store has one or more blenders which each consist of a stationary base that contains the motor and a pull-down cover. In addition, they will also have a dozen or more large plastic/Plexiglas pitchers (each of which has a set of blades on bottom) that fit into the base.

The pitchers are used for blending cold or ambient temperature ingredients (concentrated coffee and tea, cream, Frappuccino base, fruit, ice, milk, smoothie mix, soy milk). A similar pitcher (which is not used in the blender) is the receptacle for storing double-strength coffee and tea (used in iced coffee and tea) which are typically made once a day and the beverages are hot when they are put into the plastic pitcher.

³ Espresso is added on top of steamed milk in a latte macchiato, and before/below the milk in a caffè latte.



- Miscellaneous

Tea is brewed right in the customer’s cup using a tea bag and hot water. Iced tea is usually made with an ambient temperature double-strength liquid tea blended with ice. If the customer asks for a flavor that the store did not prepare a double-strength concentrate for, the barista will prepare a single-serving of double-strength tea in the customer’s cup or in the blender-pitcher.

All of the above beverages can be mixed and matched with a wide assortment of toppings and additives to create variations of the above or entirely new items. The most famous of the latter category is “Frappuccino” which is a family of blends made with a base plus coffee, tea, milk, cream, ice, fruit and/or flavor.

4 - Cleaning

Equipment is cleaned and sanitized using the following four basic methods:

- RagIn a few places in (most of) the stores there are small, shallow containers filled with sanitizing solution, and in turn there is a rag soaking in that solution. After a piece of machinery (e.g. the espresso bar) is used, it is wiped down with the rag. In principle, each rag is supposed to be dedicated to a given area or piece of equipment, but in practice many times a rag from one area may be used to clean elsewhere.
- SinkJust about all equipment gets washed in a three-compartment sink when it gets dirty (e.g. after a plastic pitcher is used to blend a smoothie), at given intervals during the day, and/or at the thorough end-of-day cleanup. In the three compartment sink, the dishes first soak in a hot soapy solution (in sink #1), are then dipped into plain hot water or hosed down with plain hot water (in sink #2), and are then sanitized by being dipped into ambient temperature water mixed with sanitizing solution (in sink #3). The wash-sink (sink #1) is currently configured such that soap is automatically blended into all hot water coming out of the sink’s faucet, but hot water from the overhead sprayer (used in sink #2) does not have soap mixed in.
- Dish-Machine.....At the end of each day (or after considerable use), utensils which are already clean are put into a machine that looks like a dishwasher for a 2-minute sanitizing. [As noted, most kiosks do not use a dish-machine.] The dish-machines have a two-part cycle – first sanitizing solution is sprayed onto the dishes and then fresh water is sprayed on to rinse the dishes. In most Starbucks stores, they use a Hobart model LXiH dish-machine⁴ which accomplishes both of the aforementioned cycles with 180° F water.⁵ We will see below that the use of

⁴ Baristas regularly refer to the dish-machine as “the Hobart”, and the exact Hobart model is reported in passing at <http://bit.ly/HobartID>. [Hobart’s other dish-machine (the SR24) is similar to the LXi series, but the cycle is somewhat longer.] There are reports that some Starbucks stores use the LXiC model which uses ambient temperature water and a different sanitizer to accomplish the same goals as the LXiH model. The use of such a dish-machine at a given store would be to advantageous for kosher consumers, because it would be one less place where kosher and non-kosher equipment might be washed simultaneously (as will be discussed in the text below).

⁵ See <http://bit.ly/DishMachine> for details and information on the dish-machines noted in the text.



the LXiH machine has a significant negative affect on the *kashrus* of products at Starbucks.

- Clean in PlaceThe two parts of the (espresso) bar have built in cleaning protocols, as follows. The internal parts of the espresso side are never put into the sink or dish-machine; rather, a barista drops a special pellet into the top of the machine and runs a hot water cycle which cleans and sanitizes the equipment.⁶ Part of the cleaning of the wands on the steamer side are involves blowing steam through the wand (with or without a cup there) which seems to remove residue by sheer force of heating the wand-walls. [The wands are regularly wiped with the rags, and may sometimes be taken off the machine and washed in the sink and dish-machine.] In addition, the brewed-coffee “pots” and cleaned in place and not put into the sink or dish-machine.

There are some exceptions to the above cleaning methods. For example, some kiosks find it easier to use disposable paper towels instead of reusable rags, and some locations choose to merely rinse their brew baskets in a regular sink rather than put them into the three compartment sink and dish-machine.

The significance of the cleaning information presented above, will be clarified in later sections of this article.

C. Inherent Kosher Status of Items

In this section, we will discuss the inherent kosher status of the items used at a typical Starbucks. Clearly, items which are either not kosher or we cannot determine their kosher status, cannot be used by kosher consumers. The coming sections will discuss ways in which some of the inherently kosher items might lose that status as a result of their being prepared in proximity to the non-kosher items.

Before discussing specific items used at Starbucks, it is worthwhile to note that all shelf-stable ingredients used at Starbucks stores are uniform in every store in the USA. Thus, all stores use the identical coffee beans, flavor syrups, tea, soy milk, Frappuccino mix, and toppings. In contrast, all items that must be continually purchased fresh are bought regionally,⁷ such that all stores in the Midwest might use the same milk and cream, but stores in the Northeast may have a different supplier.

The following is a list of the inherent kosher status of many items used at Starbucks. **As noted, (a) this information is current for April 2011 and may change, and (b) items**

⁶ The basket/filter that holds the coffee grinds in the espresso part of the machine, is typically either not wet-washed at all or is merely rinsed at ambient temperature. Some locations do wash this basket/filter together with other equipment, but that is considered rare enough that we do not consider it a significant possibility. Similarly, some stores have a new espresso machine (see <http://bit.ly/NewEspresso>) which has small parts that are washed with other equipment, but that machine is not yet common enough to raise a concern.

⁷ Items such as pastries, sandwiches, and salads might be bought even more locally than milk and cream.



listed as kosher on this list may become non-kosher during preparation in the store, as will be discussed in the coming sections.

Item	Status
Apple Juice	Usually OU, check the package
Baked goods	Purchased regionally, likely not kosher
Breakfast meals	Not kosher
Brown sugar	Kosher even without certification
Caramel sauce (Brulée)	Not certified, and contains kosher-sensitive ingredients
Caramel syrup	OU certified
Coffee beans	Kosher (includes regular and decaffeinated)
Cream	Purchased regionally, check the package
Eggnog	Purchased regionally, check the package
Flavor syrups	Many are OU certified, check the package
Frappuccino base	Not certified, and contains kosher-sensitive ingredients
Half and Half	Purchased regionally, check the package
Hot chocolate base	Not certified, but does not contain any kosher-sensitive ingredients
Ice	Kosher even without certification
Lemonade	Base is not certified and is processed in a way that requires kosher certification
Milk	Kosher even without certification (whole, skim and 2%)
Mocha	Cocoa portion is not certified, but does not contain any kosher-sensitive ingredients [this product also contains coffee]
Oatmeal	Unflavored is kosher even without certification (fruit and nut packs are not certified)
Panini Wraps	Purchased regionally, likely not kosher
Pastries	Purchased regionally, likely not kosher
Salads	Not kosher ⁸
Sandwiches	Not kosher
Smoothie mix (Vivanno)	Not certified and contains kosher-sensitive ingredients
Snack plates	Not kosher
Soy milk	UMK certified
Sugar	Kosher even without certification
Sugar substitutes	Usually bear certification, check the package
Tea	Many are KSA certified, check the package
White chocolate mix	Not certified and contains kosher-sensitive ingredients

⁸ Most of the salads contain ingredients which are not kosher or require kosher certification such as blue cheese or chicken. Some are pure vegetables, in which case their kosher status depends on whether the vegetables are of the type that might be infested with bugs and which other ingredients are added (e.g. dressing, croutons).



Item	Status
Yogurt	Not certified and contains kosher-sensitive ingredients

D. Transfer of Ta'am

The list in the previous section makes it clear that a kosher consumer cannot purchase certain items in a Starbucks (e.g. frappuccino, pastries, sandwiches), and cannot even consider using certain other items without first checking the individual packages to see if they are kosher (e.g. cream, flavor syrups, half and half, tea). What about purchasing items made with ingredients from the latter group or with ingredients that are surely kosher? How does the presence of non-kosher food in the establishment affect the otherwise kosher items? To answer these questions, we will first note some of the applicable principles of how and when *ta'am*/flavor transfers from one item to another, and see how they apply to our situation.

1 - Residue and Bitul B'shishim

The simplest way for a kosher item to become non-kosher, is if some non-kosher material gets mixed into it. Therefore, it is obvious that if the half and half in a given Starbucks is not kosher, one may not add any of that in to their otherwise kosher coffee.

That said, is there a concern that residue from one product might accidentally end up in another one? Must I be concerned that some non-kosher frappuccino will remain in the plastic pitcher from a previous customer and get mixed into the iced coffee which I ordered? The answer is a resounding no. The Starbucks cleanliness practices are so strict and well adhered to, that all customers – kosher and otherwise – can be sure that there is no residue from one beverage to another.

In the rare case that there would be a tiny amount of residue, we would apply the general principle of *bitul b'shishim* which states that if a small amount of non-kosher gets mixed into a kosher material, the kosher material retains its status if there is at least 60 times as much kosher as non-kosher.⁹ Thus, if 1 ounce of non-kosher is hopelessly dissolved into 100 ounces of kosher, the mixture remains kosher. For this reason, even though it is possible that a tiny bit of non-kosher grease might be on the rag used to wipe the steamer wands and that grease might therefore end up in my steamed milk, the milk remains kosher because the volume of the milk is more than 60 times the volume of the grease.¹⁰

⁹ See *Shulchan Aruch* YD 98:1; *bitul* is measured using the volume of the product (as opposed to its weight) (*Pischei Teshuvah* 98:2).

¹⁰ A calculation of the surface area of the wands showed that the entire surface area of both wands would have to be coated in a layer of grease a thick as a credit card (for a 12 ounce “Tall” drink) or a dime (for a 20 ounce “Venti” drink) in order for it to not be *batel b'shishim* in the beverage (see below). Clearly, Starbucks cleanliness standards (and customer sensibilities!) would never allow for such a thick layer of grease, and we can therefore state with confidence that any residue on the surface of the wands would be *batel b'shishim*.

[The combined surface area of both wands is approximately 12.9 square inches, such that a 0.03 inch layer of grease (the thickness of a credit card) would result in 0.386 cubic inches of grease which is just a bit more than 1/60th of the 21.7 cubic inches of volume of 12 fluid ounces. Similarly, a 0.0475 inch layer of



One of the situations where *bitul b'shishim* does not permit the food is directly relevant to many Starbucks products, and will be presented below in subsection 4.

2 - Absorbed Taste (B'lios)

If food is cooked in a pot, some of the food's taste is absorbed into the pot-walls, and that taste can later be absorbed into another food cooked in that same pot. Accordingly, we are all aware that a pot used to cook non-kosher food cannot be used to cook kosher food unless the pot first undergoes a procedure known as "*kashering*" which removes all absorbed taste from the pot-walls.

As a general rule, flavor can only be absorbed and transferred if the food and pot are hotter than 120° F. Therefore, a plastic pitcher used for blending ambient temperature non-kosher drinks will not absorb any non-kosher flavor, and it can subsequently be used for the hot or cold parts of producing a kosher drink such as an iced coffee.

However, we have already seen that there are quite a number of non-kosher items which are either processed hot (e.g. sandwiches) or washed in hot water together with other dishes. Does this mean that any beverage prepared with heat at Starbucks is not kosher even if the ingredients are inherently kosher? In order to answer that question, we must investigate some of the detailed halachos of how flavor is absorbed and transferred, and that will be the subject of the coming few subsections.

Important Note

Before proceeding it is worth noting that the proper way of running a kosher kitchen is to not rely on leniencies and complicated reasons to justify the presence of non-kosher ingredients or the cross-using of meat and milk equipment. For example, no conscientious Jewish housekeeper would wash a plate used for ham in her kosher sink, regardless of all the reasons a Rabbi could present why it would not affect her dishes.

This proper attitude towards kashrus coupled with the realities of a modern-day coffee house, leads many individuals to not drink anything at Starbucks or any other store unless it is kosher certified. We commend anyone who adopts this policy and encourage consumers to consult with their personal Rabbi before relying on any of the logic listed below.

3 - Dairy and Chalav Yisroel

Many of the items prepared at Starbucks contain hot milk products. Of course, those items cannot be consumed together with meat, and the dairy status of those items often transfers to other non-dairy items made on the same equipment. In addition to those items having a dairy/*milchig* status, they are also not *chalav Yisroel* which means that consumers who are particular to only drink *chalav Yisroel* will not be able to have those

grease (the thickness of a dime) would result in 0.61 cubic inches of grease which is just a bit more than 1/60th of the 36.1 cubic inches of volume of 20 fluid ounces.]



products. For purposes of this discussion we will follow the position which holds that pareve items produced on clean *chalav stam* equipment may be consumed by people who are particular to only drink *chalav Yisroel*.¹¹

4 - Flavors

The rule of *bitul b'shishim* only applies if a 60:1 ratio is enough to dilute the non-kosher taste to the point that it is not detectable in the kosher food. If however, the non-kosher taste was concentrated or particularly potent and is able to have an effect even beyond the standard rate of *bitul*, then it is not *batel* and the food is forbidden. Foods that qualify for this special status are referred to as being a *milsah d'avidah lit'amah*, an item “meant” to provide taste.

At first glance, it would seem that a commercially produced flavor, such as the ones contained in a flavor syrup or in a flavored tea, would qualify as a *milsah d'avidah lit'amah*. “Flavors” are typically able to affect the taste of a food even if they just comprise 1/10 or 1/2 of a percent of the food, and one would therefore imagine that an uncertified flavor should not be *batel b'shishim*.

In fact, the standard at the cRc and most *kashrus* agencies is that (a) items made with uncertified flavors may not be consumed due to the serious concern that those flavors might contain non-kosher ingredients, but (b) if an otherwise kosher item that contains uncertified flavors was processed on kosher equipment, that equipment does not have to be *kashered*. [The exact rationale for this position is beyond the scope of this article, but some detail is given in the footnote.]¹²

According to the lenient position, we can somewhat refine our concern that non-kosher foods will affect the kosher ones at Starbucks. Those items which are inherently non-kosher or which contain more than 1/60th non-kosher can potentially affect the kosher products, but those which are inherently kosher and “only” contain uncertified flavor (may not be consumed but) cannot affect the kosher items sold in the store.

Three other items used at Starbucks which have a similar status as uncertified flavors are cream, caramel sauce, and eggnog. These are primarily made from ingredients which are inherently kosher, but each may contain a small amount of ingredients which are not kosher (e.g. gelatin). Those non-kosher ingredients may have enough of an affect on the

¹¹ See for example *Teshuvos Ivra* (Rav Henkin) #43.

¹² The lenient position is somewhat based on the fact that most of the flavor-contributing chemicals are inherently kosher (see below), no single chemical's taste is perceived in the final chemical mixture (i.e. *zeh v'zeh gorem*), and the flavor is used in tiny proportions. Although almost all flavor-contributing components are inherently kosher, many of them are kosher-sensitive due to the concern that they were produced on non-kosher equipment. In that case, the foods are a classic example of מלח הבלוע מדם (Shulchan Aruch 105:14) after which one is not required to *kasher*. Other components are non-kosher because they are produced from *stam yayin*, which is *batel b'shishah* and *b'dieved* would not render the foods non-kosher.



cream, caramel sauce, or eggnog to render them unacceptable to eat,¹³ but not enough to require that equipment used with them be *kashered* before they are used for kosher foods.

This still leaves many items in a Starbucks full-service store that are non-kosher and might affect the other items. However, if one adopts this lenient position then there are truly very few items in a Starbucks kiosk (which does not sell hot sandwiches and pastries) that are non-kosher to the point that they affect other equipment.

5 - Kli Rishon and Kli Sheini

For purposes of the coming discussion we will must define a few terms, and will use an example to do so. If someone heats up water in a kettle, pours the water into a tea cup, and then sticks a spoon into that cup, the kettle [even after it is removed from the fire] is referred to as the *kli rishon* (first utensil – pot that was on the fire), the cup absorbs via *irui kli rishon* (pouring from the *kli rishon*), and the spoon is considered to have only been affected by a *kli sheini* (second utensil). [As noted earlier in subsection 2, the entire discussion is limited to cases where the food is hotter than 120° F.]

Each of the utensils described above has a different status in halacha:

- *Kli Rishon*.....Taste is thoroughly absorbed into and out of the full thickness of the utensil or food.¹⁴
- *Irui Kli Rishon*.....Taste is absorbed into a thin layer, known as a *k'dei klipah*.¹⁵
- *Kli Sheini*.....*L'chatchilah* it is assumed that taste transfers [into a *k'dei klipah*] and therefore (a) a kosher utensil put into a non-kosher *kli sheini* must be *kashered*¹⁶ and (b) one is not allowed to put kosher food into a non-kosher *kli sheini*.¹⁷ However, if food was used in the *kli sheini*, the food is *b'dieved* kosher.¹⁸

We can logically understand that more absorption and transfer of taste occurs when food is hotter, but what difference does it make if the food is in a *kli rishon* or *kli sheini*? *Tosfos*¹⁹ explains that although the temperature in these two *keilim* may be identical, the walls of the *kli rishon* utensil maintain or increase the heat of the food while in a *kli sheini* the walls are colder than the food and draw heat away from it. It is this fact, that the walls of the *kli sheini* are actively cooling the food, which prevents taste from transferring. Two possible *chumros* can be inferred from this line of reasoning:

¹³ In this case the non-kosher ingredients are not *batel* due to their being a *davar hama'amid* (e.g. gelatin, diglyceride), as opposed to in the case of the flavor where they potentially aren't *batel* because they are a *milsah d'avidah lit'amah*. However, as relates to the discussion in the text, their status is equal.

¹⁴ *Shulchan Aruch* YD 105:2.

¹⁵ *Rema* YD 92:7. A *k'dei klipah* is defined as the thinnest layer of a utensil or food which can be peeled off in one piece (*Shach* YD 96:21).

¹⁶ *Shulchan Aruch* OC 451:5; see also *Mishnah Berurah* 451:11.

¹⁷ *Shulchan Aruch* YD 105:2.

¹⁸ *Shulchan Aruch* YD 105:2 and *Rema* YD 68:11.

¹⁹ *Tosfos*, *Shabbos* 40b s.v. *v'shmah minah*.

- Walls aren't cooling – If the walls of the *kli sheini* are somehow heated to the point that they don't cool off the product, the *kli sheini* will possibly have the status of a *kli rishon*. *Taz* and *Shach*²⁰ appear to accept this line of reasoning, but *Chavas Da'as* and *Pri Megadim* do not fully agree.²¹
- *Davar gush* – If the food in question is a solid mass (*davar gush*) which retains its heat and isn't affected by the temperature of the walls, the food should retain its *kli rishon* status even if it is moved into a *kli sheini*. The *Poskim* have considerable debate on this issue, with *Rema* and others being lenient, but *Mishnah Berurah* says one should be *machmir* for the opinion of *Shach* and *Magen Avraham*.²²

The above principles will help us determine the status of the following pieces of equipment used hot in Starbucks:

- Wands The wands in the bar have the status of a *kli rishon* because that is the utensil in which the food is cooked. The wands and the metal cups used with them will be discussed in more detail in the coming subsections.
- Oven..... The oven and the ceramic oven plate²³ have the status of a *kli rishon* since they are used for cooking.
- Serving plates..... The hot sandwiches coming out of the oven are a *davar gush* and therefore the status of the (a) knives used to cut the sandwiches and the (b) ceramic plates that customers eat on, depends on the *machlokes* noted above. According to *Rema*, those utensils have the status of a *kli sheini* such that *l'chatchilah* they may not be used for kosher but *b'dieved* would not pose a concern, but according to the stricter position these utensils would be non-kosher even *b'dieved*.
- Dish-machine..... There are those who suggest that dishes washed in a standard dishwasher have the status of being washed in a *kli rishon*, because water is heated in the machine and then sprayed on the dishes for so long that the dishes no longer cool off the water (as noted above). Accordingly, if a kosher and non-kosher dish were washed in the same dishwasher, the kosher dish would absorb non-kosher taste. However, it would seem that this line of reasoning does not apply to the dish-machines used by Starbucks because the entire cycle takes a mere 2 minutes (when it must just sanitize and rinse, and does not have to clean the dishes) such that it seems more appropriate to treat those dishes as having had contact via *irui kli rishon*. The

²⁰ *Taz* YD 92:30 and *Shach* 107:7.

²¹ *Chavas Da'as*, *Biurim* 92:27 & *Chidushim* 92:32, cited in *Darchei Teshuvah* 92:200; *Pri Megadim* OC (M.Z.) 451:9.

²² *Rema* YD 94:7 & 105:3, *Taz* 94:14 and others cited in *Pischei Teshuvah* 94:7 are lenient, while *Issur V'heter* 36:7, *Shach* 105:8 and *Magen Avraham* 318:45 are strict. *Chochmas Adam* 60:12 and *Mishnah Berurah* 447:24 rule that one should be *machmir* except in cases of *hefsed merubah*.

²³ There is no direct contact between the oven plate and the non-kosher meat or cheese; rather the meat or cheese is (usually) sandwiched between slices of bread (although it might occasionally drip out), and a piece of (possibly greased) wax paper separates between the food and the oven plate. Although there are situations where such a separation can prevent taste from transferring, it would appear that this situation does not qualify for that leniency; the explanation for why this is true is beyond the scope of this presentation, and readers are directed to *Badei HaShulchan* 92:8, *Biurim* s.v. *a'shte* page 210 for some detail on this issue.



dish-machine and its possible affect on the other utensils will be discussed in more detail below.

- Sink The status of the three compartment sink and everything washed/sanitized in it will be discussed below.

6 - Nosein Ta'am Lifgam

Another important consideration is that non-kosher taste can only affect a kosher food if the non-kosher taste improves the taste of the kosher food. If however, the non-kosher food's taste ruins the flavor of the kosher food, then the kosher remains kosher even if the forbidden food is not *batel b'shishim*. One of *Shulchan Aruch's*²⁴ examples of this – known as *nosein ta'am lifgam* – is of a fly that was ground into a kosher food to the point that it is impossible to find and remove; flies are assumed to ruin the taste of food and therefore the food remains kosher even if the fly was not *batel b'shishim*.²⁵ Although we are not concerned that any flies fell into the coffee that we drink, the halacha of *nosein ta'am lifgam* is relevant to us in the following ways.

Firstly, non-kosher taste which has been absorbed in the walls of a utensil for 24 hours is automatically considered to be *nosein ta'am lifgam* into (just about) all foods.²⁶ One may not *l'chatchilah* use the utensil for kosher food without first *kashering* it, but if one did then the food remains kosher.²⁷

Secondly, the soap and sanitation solutions used at Starbucks are assumed to have a sufficiently unpalatable taste²⁸ that any non-kosher taste which must pass through those solutions to reach a kosher dish is *nosein ta'am lifgam*. For example, if a non-kosher ceramic serving plate was soaked in hot soapy water together with a kosher plastic pitcher, the non-kosher taste must pass through the soapy water in order to get from the plate to the pitcher, and therefore the pitcher remains kosher because any transferring non-kosher taste is *nosein ta'am lifgam*.

²⁴ *Shulchan Aruch* YD 104:3.

²⁵ Some have suggested that the taste of (non-kosher) meat is always *nosein ta'am lifgam* into coffee (and even see some support to that in *Teshuvos Maharit Tzahalon* 60). However, it would seem that in order to apply such logic to a Starbucks store one would have to sample each combination of non-kosher (meat, chicken, cheese etc.) and kosher (coffee, milk, cream, chocolate etc.) to see whether the non-kosher is, in fact, *nosein ta'am lifgam*. Since that has obviously not been done, we will assume that some or all of the non-kosher may have a positive affect on the kosher, and must therefore be reckoned with.

²⁶ *Shulchan Aruch* YD 103:5.

²⁷ *Shulchan Aruch* YD 93:1.

²⁸ The line of reasoning presented in the text is based on *Shulchan Aruch* YD 95:4. See *Shulchan Aruch* YD 103:2 for the criteria of *nosein ta'am lifgam*. One of the authors tested two of these solutions (soap for sink and sanitizer for rags) by putting them into his mouth one at a time (in the diluted form as they would be used in the store) and after holding them there for a few seconds concluded that they clearly qualified as *nosein ta'am lifgam*. Presumably, so little of that solution is left on the equipment that it is not perceived by the customers (although some have suggested that the leftover solution's presence calls into question the author's judgment that the solution is actually *pagum*). It is assumed that the other solutions – the sanitizer used in the three compartment sink and dish-machine – also qualify as *pagum*.



With this information, we can now discuss the status of dishes washed in the three compartment sink and sanitized in the dish-machine:

- Sink We have already noted that the hot water used in the first sink (which has the status of a *kli sheini*) is always automatically mixed with soap, and therefore the rule of *nosein ta'am lifgam* tells us that non-kosher dishes soaked in that sink cannot affect the kosher dishes washed there simultaneously.²⁹ However, this is not true of the second sink in which dishes are rinsed off with plain hot water that does not contain soap, and non-kosher taste can possibly transfer. [Doesn't the soapy wash render the non-kosher dishes *pagum* such that we should not be concerned about the subsequent soap-less wash? See the footnote.]³⁰ Therefore, at first glance it would seem that non-kosher taste can transfer from the non-kosher dishes to the kosher ones in the sink and one should not be allowed to use food made with/on those utensils.

On the other hand, we must consider that:

- When the dishes first come into the second sink they are still covered with soap, such that there may be some residual *ta'am lifgam* in the wash water.
- The status of the second sink is only that of an *irui kli rishon* (the hot water pouring out of the overhead sprayer) such that there is only a minimal, *k'dei klipah* transfer which may be *batel b'shishim* in the flowing water and multiple dishes being washed simultaneously.³¹

²⁹ The same is true of the third sink where there is sanitizing solution mixed into the water (and the water is not hot).

³⁰ Some have suggested that once the utensil has been washed with hot water which is mixed with something which is *nosein ta'am lifgam*, that *pagum*/unpalatable taste should become absorbed into the "walls" of the utensil thereby ruining the flavor of the absorbed taste. If so, if the subsequent washing was done without soap, it should still be impossible for palatable non-kosher taste to be absorbed into the kosher utensil. In fact, many followed this position until some 75 years ago when *Chazon Ish* YD 23:1 asked the following very logical question:

We are *machmir* to say that at *yad soledes bo* taste can be absorbed into a utensil, but in the above scenario we are being *lenient* to say that taste was absorbed at *yad soledes bo* (thereby ruining the taste of the previously absorbed taste). How can we be sure that the soapy-taste was absorbed into the utensil? Maybe none of the bitter taste was absorbed and the original absorbed taste is still fresh and pleasant tasting? The case where *Shulchan Aruch* (cited in footnote 28) is *lenient* is where someone is washing meat and dairy dishes together in soapy water. In that case, it makes sense to say that if taste transferred from the meat plate into the dairy plate it would have to pass through the soapy water and the taste would get spoiled as it passed through. But that is not a license to assume that a *pagum* taste can be pushed into a utensil by merely heating it together with soapy water.

Accordingly, *Chazon Ish* says that the only way one can be sure that the *pagum* taste was absorbed is if the soapy water was heated in the utensil at a *kashering* temperature, which is much hotter than a mere *yad soledes bo*. [The details of why and how that is effective is beyond the scope of this document.] The hot soapy water in the three compartment sink is surely not at a *kashering* temperature. The cycles in the dish-machine may be at a baseline *kashering* temperature (of *k'bol'oh kach polto*) for certain items but would not qualify for items used in the oven (which need to be *kashered* with boiling water) or made of ceramic (which cannot be *kashered* via *hag'alah*), which in fact includes just about all of the most seriously non-kosher items at a Starbucks full-service store.

The text is based on the consensus of contemporary *Poskim* who accept *Chazon Ish's* line of reasoning.

³¹ See the coming footnote.



- Even if the “kosher” utensil absorbs a small amount of non-kosher taste, that taste may well be *batel b’shishim* in the subsequent beverage put into the utensil.³²
- Not all dishes can be washed simultaneously.³³ Therefore, no one knows if, in fact, dishes which were used for non-kosher items within the past 24 hours were washed with any given kosher dish.³⁴ This *safek*/doubt is even greater if one considers the ceramic serving plates as a *kli sheini*³⁵ which *b’dieved* is assumed to not absorb taste. If that was true, one of the only truly “non-kosher” utensils washed in the sink is the ceramic oven plate, which is typically only washed once a day and which many stores never put into the dish-machine for fear of breaking the plate.

Some Rabbis consider this combination of factors enough to permit the use of (otherwise kosher) utensils washed in a Starbucks three compartment sink.

- Dish-Machine.....The points noted above regarding the sink all essentially apply to the dish-machine as well. The dish-machine’s first cycle contains sanitizing solution but its second one does not, which potentially raises the same issue as was noted for the sink. However, the dish-machine has the advantages that there is no residue of non-kosher food in it, that some stores never put their ceramic oven plate into the dish-machine because they are afraid it might break, and that each cycle that is done without any non-kosher dishes may serve as a “self-kashering” at the baseline temperature of *k’bol’oh kach polto*.

³² The ratio of beverage to metal in the metal cups used in the espresso bar steamer are approximately 6.3:1, 8.4:1, and 10.5:1 for a 12, 16, and 20 ounces beverage respectively. The ratio of water in a dish-machine cycle (0.74 gallons) to the full thickness of the ceramic oven plate (the most-seriously non-kosher item ever washed) is somewhere between 3:1 and 4:1, and the ratio is likely higher in the sink where more water is used. Accordingly, if a limited amount of non-kosher taste is drawn from a *k’dei klipah* of the non-kosher utensils, that taste is further diluted in the rinse-water, and then it is only absorbed into a *k’dei klipah* of the metal cup (whose thickness appears to be greater than a *k’dei klipah* which means that the above ratios are actually greater), it is obvious that the non-kosher taste will be *batel b’shishim* in the kosher beverage.

³³ Most stores have a relatively small three compartment sink which can only hold a few dishes at a time. As relates to the coming paragraphs, it is noteworthy that the dish-machine is also quite small such that a busy store might have to run 10-20 cycles in order to sanitize all of their utensils at the end of the day.

³⁴ It would appear that since there is a *safek* whether, in fact, non-kosher dishes were washed together with the kosher ones, one need not apply the principle of *ChaNaN* (see *Gilyon Maharsha* YD 98:34 to *Shach* 98:11).

³⁵ I.e. Disregarding their use with a *davar gush*, as noted in subsection 5 above.



We have given reasons why some Rabbis are (*b'dieved*) not concerned about the transfer of taste in the sink and dish-machine from non-kosher to kosher utensils. Others take a more cautious approach due to the seriousness (*issur d'oraisah*) of the non-kosher foods being served in the stores and washed in the sink and dish-machine; they hold that almost every piece of reusable equipment in a Starbucks should be treated as non-kosher.³⁶

cRc Recommendation

Due to the concerns outlined above, the Av Beis Din, Rav Schwartz shlita, ruled that in a full-service Starbucks one should not consume any item which uses equipment that may have been washed together with non-kosher utensils, but one may be lenient in a kiosk-type store where (as noted) heated non-kosher items are much less common. In situations where this ruling presents a particular hardship to an individual, they should consult with their local Rabbi.

The coming subsections will provide suggestions that may be acceptable even according to those who adopt the stricter approach noted above.

7 - Brew Basket

We have already noted that the transfer of taste depends somewhat on whether the utensil is a *kli rishon*. This is particularly relevant to the brew basket used in the coffee brewer. If the store washes their brew basket in the sink and dish-machine (practices that some stores do not do) and if one disagrees with the lenient position suggested in the preceding paragraphs, then the brew basket is not kosher and seemingly one would not be allowed to purchase a regular coffee made with that basket.

However, the truth is that even if the brew basket is not kosher, its contact with the kosher coffee is only as a *kli sheini*. [It isn't *irui kli rishon* because the water pouring into the brewer hits the grinds and paper, and only later trickles through to the basket.]³⁷ Accordingly, non-kosher taste absorbed into the brew basket will (a) only be absorbed

³⁶ The text suggests two extreme positions – all is *b'dieved* permitted, or all is forbidden – and the coming text presents the *cRc* position that differentiates between a full service store and kiosk-type store. In fact, some might adopt one of a few intermediate positions based on the way we have seen the equipment is used (after it absorbs taste in the three compartment sink or dish-machine), as follows:

The plastic pitchers only contact kosher product as *irui kli rishon*, shot glasses are only used via *irui kli rishon* and are also made of glass (which some hold does not absorb taste – see below in footnote 42), and the brew basket is used as a *kli sheini* (see below in the text). Thus, some *Poskim* may choose to be *machmir* regarding the metal cup (used as a *kli rishon*) but be lenient for some or all of the aforementioned other utensils.

In contrast, some might be more lenient regarding the metal cup because it is continuously used to steam beverages in a manner that qualifies as a pseudo-*kashering* (along the lines of *Gemara, Avodah Zara 76a* which states *כל יום ויום נעשה גיעול להבירו*) such that all non-kosher taste has likely been purged before a drink is made for the kosher customer.

³⁷ Although the brew basket is continuously located above the hot reservoir of coffee (and in some stores the reservoir and brew basket are enclosed by one outer housing), only a minimal amount of heat escapes from the reservoir and therefore the brew basket cools down between uses. Accordingly, the brew basket's metal is able to cool the water pouring through it and therefore is not a *kli rishon*.

into a *k'dei klipah* of the filter paper/coffee grinds and (b) *b'dieved* one need not be concerned about taste extracted from a *kli sheini*. If one were to accept this logic, coffee that passes through the brew basket would be kosher.

8 - Items Which Are Free of Equipment Concerns

We conclude this section by noting a few items³⁸ which one can purchase at Starbucks which are free of all possible contamination from non-kosher equipment.

- Espresso made directly into a disposable cup rather than in the shot glass.
- Caffé Americano (i.e. espresso diluted in a full cup of hot water) where the espresso and hot water are poured directly into the customer's disposable cup.
- Hot tea (using a kosher tea, of course) which is always made right in the customer's disposable cup.
- VIA instant coffee (using a certified flavor, of course) made in a cup of hot water.

E. Practical Applications

In this section we will review the conclusions we have come to, and then show their practical applications:

1 - Ingredients

- Kosher Ingredients
Caramel syrup (not sauce), coffee beans, hot chocolate base, ice, milk, mocha, oatmeal (unflavored), soy milk, sugar, water
- Possibly Kosher Ingredients (check the package)
Cream, eggnog, flavor syrups, half and half, salads, sugar substitutes, tea, toppings
- Non-Kosher (or Non-Certified) Ingredients
Baked goods, breakfast meals, caramel sauce, frappuccino base, lemonade, Panini wraps, pastries, sandwiches, smoothie mix, snack plates, white chocolate mix, yogurt

³⁸ The following suggestions were not included in the text (and a reason is given for each):

- Iced tea and coffee are blended cold when the customer arrives, but the double-strength tea or coffee used in the beverage is brewed earlier in the day and is hot when it is put into a plastic pitcher for storage and cooling. This pitcher may be washed with non-kosher utensils.
- Frappuccino and smoothies are also blended cold, but the bases used for both of them are not certified (and Frappuccino also sometimes contains hot items such as espresso).
- The portable "pour over brew station" used to brew individual cups of coffee, may be washed in the sink and dish-machine together with non-kosher utensils.



2 - Equipment

Reusable equipment used at a Starbucks can be divided into a number of categories, as outlined in this chart:

Item	Status
Coffee brewer	Minimal <i>kashrus</i> concern ³⁹
Cup, metal (used in steamer)	Possibly washed with non-kosher equipment
Dish-machine	Used to wash non-kosher equipment
Espresso maker	No <i>kashrus</i> concern
French Press ⁴⁰	Possibly washed with non-kosher equipment
Knives	Surely non-kosher
Oven	Surely non-kosher
Plastic pitchers	Possibly washed with non-kosher equipment
Plates (ceramic)	Surely non-kosher
Pour-over brew station ⁴¹	Possibly washed with non-kosher equipment
Shot glasses ⁴²	Possibly washed with non-kosher equipment
Sink	Used to wash non-kosher equipment
Tongs	Surely non-kosher
Wands for steaming	Used with metal cup which may be washed with non-kosher equipment
Water (hot or cold)	No <i>kashrus</i> concern

3 - Status of Classes of Products

The coming list is accurate at this time for stores in the United States, and since the information is subject to change **this list should not be used after February 29, 2012**. [The list is limited to beverages and does not address foods sold in Starbucks (e.g. sandwiches), or toppings and other items added to beverages.] It is also worth noting that many items sold at Starbucks are dairy and *chalav stam*.

Drink	Full-Service Store	Kiosk-Type Store
Americano, using shot glass	A	✓
Americano, using disposables ^B	✓	✓
Apple juice (steamed)	x ^C	✓
Brewed Coffee	H	✓
Caramel Macchiato ^K	x	x
Clover-brewed coffee	x ^J	✓
Cream	D	D

³⁹ See Section D:7.

⁴⁰ For Clover-brewed coffee.

⁴¹ Used to brew single cups of coffee or tea directly into the customer's disposable cup.

⁴² The status of shot glasses is more lenient than other items possibly washed with non-kosher equipment because although *Rema* OC 451:26 is *machmir* that glass can absorb taste, he agrees that in certain situations of *b'dieved* one can rely on the opinion that it does not absorb (see *Mishnah Berurah* 451:155).



Drink	Full-Service Store	Kiosk-Type Store
Espresso, using shot glass	A	✓
Espresso, using disposables ^B	✓	✓
Flavor syrups	E	E
Frappuccino ^F	✗	✗
Hot chocolate	✗ ^{C, D}	D
Iced coffee	✗ ^G	✓
Iced latte, using shot glass	A	✓
Iced latte, using disposables ^B	✓	✓
Iced tea	✗ ^G	✓
Latte/cappuccino	✗ ^{A, C}	✓
Lemonade ^F	✗	✗
Milk, cold	✓	✓
Milk, steamed	✗ ^C	✓
Smoothie ^F	✗	✗
Soy Milk	✓	✓
Tea (hot)	E	E

Key

✓ Recommended

✗ Not Recommended

Notes

- ^A Shot glasses may have been washed with other non-kosher items. Although some *Poskim* hold kosher beverages made in glass are still kosher, the cRc recommends purchasing items which are free of all *shailos*.
- ^B Have espresso made in a disposable cup, instead of into the standard reusable shot glass.
- ^C Metal steaming cup may have been washed with other non-kosher items.
- ^D Cream is purchased regionally and must be checked for kosher certification.
- ^E Check specific flavor for kosher certification (many are).
- ^F Bases are not kosher certified.
- ^G Plastic pitcher used to hot brew the (double-strength) coffee or tea may have been washed with other non-kosher items
- ^H Brew basket may have been washed with non-kosher items. Although the brew basket is only used as a *kli sheni*, the cRc recommends purchasing items which are free of all *shailos*.
- ^J French press may have been washed with non-kosher items.
- ^K Caramel sauce is not certified (caramel syrup is certified kosher).

The status of individual products is beyond the scope of this article, and will be made available on the cRc website.⁴³

F. Certifying and Semi-Certifying a Starbucks

1 - Certification

This article has demonstrated the numerous *kashrus* concerns involved in purchasing items at a Starbucks store, and that highlights the value of those stores becoming kosher certified. Is this possible? At a minimum, a full-service store would have to radically change their menu to remove meat (because even kosher meat cannot be served with milk), non-kosher cheese and pastries, and be careful to only use the kosher varieties of flavor syrup, tea, cream, and certain other ingredients. There may be specific stores that would be willing to make these

⁴³ www.crcweb.org .



changes – assuming they could get permission from the corporate owner – but this does not appear to be a model that would be feasible for most stores serving kosher consumers.

Certifying a kiosk-type store would be a much simpler and more realistic possibility. Kiosks do not sell sandwiches and pastries, and therefore the following would seemingly be the prerequisites for certification:

- One time *kashering* of equipment.
- Limit themselves to using flavor syrups, (flavored) teas, and toppings that are certified kosher.
- Use kosher sources for apple juice, cream, eggnog, and half and half.
[This may require special permission from the company if the authorized regional supplier is not certified.]
- Not serve frappuccino, smoothies, and yogurt, because they are made with non-certified ingredients. Similarly, items made with caramel sauce (e.g. caramel macchiato) will either have to be made with caramel syrup or not served.
[These decisions will likely require special permission from the company.]
- The kiosk may not share a three compartment sink, dish-machine or any other equipment with other kiosks or stores.

In any form of certification, the certifying body and store will have to develop an appropriate level of oversight/*hashgachah* that these standards are adhered to. It is also worth noting that there is a relatively high level of employee turnover at Starbucks stores, which means that there will be a continued need for training of employees in kosher protocols.

2 - Semi-certification

The above steps may be too difficult or impossible for many stores or communities to accomplish, and some may opt to grant some form of “semi-certification” to a given store (or kiosk). In this context, the term semi-certification refers to a situation where the local Rabbonim or *hashgachah* come to an understanding with the store which allows the Rabbis to recommend many items in a given store without certifying that everything in the store is kosher.⁴⁴ Such an arrangement might be a boon for a smaller community that has few options for kosher dining, or a bonus for a larger community which is looking to expand their choices.

In order for such an arrangement to be successful, it would seem that the different parties would have to do the following:

- The Rabbis would have to make decisions about the following:
 - Are they willing to condone the *l'chatchilah* use of equipment that was washed together with non-kosher utensils?

⁴⁴ A variation of the suggestion in the text would be to do all of the above for a occasional or weekly “kosher day” at a given Starbucks when the Rabbi would *kasher* certain crucial pieces of equipment in the morning, and consumers would know that specific beverages are kosher that day until the first cleaning is done.



- If not, will they limit semi-certification to kiosk-type stores, or is there some arrangement (e.g. video cameras, *frum* barista) we can make with the store that will assure the Rabbis that kosher and non-kosher utensils are washed separately?
- Will the public understand that only certain items in the store are recommended but others are not? Are we concerned that people will mistakenly interpret the Rabbi's recommendation and end up eating items which are not acceptable?
- Will the store be required to hang up a sign or placard indicating which items are recommended?
- Will the store be allowed to display an official letter from the Rabbi or *hashgachah*, or will that increase the likelihood that people will think the whole store is kosher?
- How much oversight is required to assure that the storeowner maintains the agreed upon standards?
- The store must agree to:
 - Limit themselves to the use of specific items (e.g. specific flavor syrups).
 - Grant permission to the Rabbis to inspect the store from time to time.
 - Give advance notice to any significant changes in suppliers or procedures.

G. Conclusion

We have seen the multiple *kashrus* issues that can be present in seemingly innocuous products purchased at a coffee shop such as Starbucks. The article has presented the different reasons why one might adopt a strict or lenient position on the halachic issues raised, and classified the status of the different items sold in the stores. Individual Rabbis will consider these options when determining what is the appropriate *kashrus* standard for their community. The cRc recommendation is that in a full-service Starbucks one should not consume any item which uses equipment that may have been washed together with non-kosher utensils, but one may be lenient in a kiosk-type store. Lastly, we have presented some thoughts on if and how a local Va'ad HaKashrus might certify or semi-certify a Starbucks in their community.