

HOW KOSHER IS YOUR SIMCHAH?

BY Dovid Sussman



Are you eating the main course at that chasunah simply because all the other religious-looking guests are eating it too?

Kashrus experts expose some alarming trends in catered affairs that might make you think twice before taking that next bite



When troubleshooter Yechiel Spira arrived at a wedding allegedly under the supervision of one of Eretz Yisrael's foremost kashrus organizations, he already knew what to expect. He even commented to his wife, "This *simchah* is not being supervised by the people everyone expects to be overseeing it."

"Why do you say that?" Mrs. Spira asked.

By way of response, her husband indicated the wine station that was visible from where they stood. "Look at that," he told her. "There are open bottles of wine being poured by irreligious people. The kashrus organization wouldn't allow that. It's happening because they're not here, because there's no *mashgiach* here. But no one, including the *baal simchah*, realizes that."

The problem isn't limited to the Middle East. How far does a kashrus agency's supervision actually extend, and what does that mean for unwitting guests who assume they can eat to their hearts' content?

"There are two types of affairs that are generally held," says Rabbi Sholem Fishbane of the Chicago Rabbinical Council (cRc). "The full-service catered affair and the drop-off. A full-service affair is under supervision throughout

the affair, whereas a drop-off is an affair to which the caterer comes, hands over the food, and then leaves. He is not present during the affair, and the *hashgachah* ends the moment he leaves the order at the hall and walks out. The kashrus of the food really depends on whoever takes over once it arrives, whoever is running the kitchen and handling the serving during the affair."

When the supervisory agency is not present for the actual *simchah*, a host of questions arises: Who is reheating the food, and with what equipment? If the *simchah* is taking place on Shabbos, does the person in charge have an adequate grasp of the relevant halachos? What is the kashrus status of other items, such as baked goods that don't come from the caterer?

Who's Minding the Dishes? Rabbi Mordechai Kuber, the *rav* of Congregation Nachlas Tzvi Ohel Avraham in Telshe Stone and a veteran kashrus official who spent many years working for the OU, paints a startling and somewhat dismal picture of the situation at catered affairs in Eretz Yisrael, where food is often transferred to the hall from a different kitchen.

Still, if the food was prepared in a kitchen that is under an appropriate *hashgachah*, what could possibly go wrong? Rabbi Kuber asserts that there are plenty of pitfalls.

"You have no guarantee about the integrity of the food being served," he points out. "Who is to say that additional ingredients were not

added? You also have no way of knowing about the conditions under which the food is prepared and served in the hall. The *keilim*, the ovens, the warming equipment, and all the other kitchen equipment and tableware may have been used at other affairs that relied on inferior standards of kashrus, and the guests at this *simchah* might not willingly rely on those standards. Moreover, caterers often have to rent plates, silverware, and other items of which they do not have a sufficient supply for this affair, and there is no way to know where these items were even the day before, and what types of food they were used for. Who is minding these dishes and making sure that they are up to the standards of the guests?"

"In addition, some food preparation naturally takes place at the very last minute. There may be cooking and frying taking place either at or immediately before the affair. Vegetables may be brought in, wine may be served, and yet with all the potential halachic pitfalls that these things entail, shockingly, often no supervision is present."

"*Rabbanim* who have investigated the situation know that catered affairs are the single worst aspect of the kashrus scene in Eretz Yisrael today," asserts Yechiel Spira.

The most obvious way to be certain that the prepared food maintains its kashrus status during and after transportation is one that is surprisingly uncommon: extending the kashrus supervision of the caterer to cover the *simchah* itself.

"It would be nice if affairs were under the same *hashgachah* as the kitchen," Rabbi Kuber says, "but at least in Eretz Yisrael, that is not the norm. One of the major kashrus organizations actually prints a disclaimer twice a year to inform people that it doesn't commit to supervise the actual

affairs. People are simply unwilling to pay the extra money it costs to have a *mashgiach* present at an affair."

Anyone still in the mood to sample the main course?

How Kosher Is It? In the US, where many affairs take place in venues such as hotels that host both kosher and nonkosher events, Rabbi Fishbane of the cRc has some further advice for the educated consumer who wants to determine just what he's eating.

"One question to ask is whether the facility has a dedicated kosher kitchen," he explains. "If they do not, that means that a kitchen was certainly kashered for this affair. The question then becomes: Did the kashrus agency allow the utensils to be kashered within 24 hours of their previous use? That is a major *kula*, especially after they were used with *tarfus d'Oraysa* [Biblically prohibited food items]."

The cRc policy in Chicago is that kashering can only be done on utensils that have not been used for a period of 24 hours. But in other locales, many kashrus agencies find that applying such a stringency is not feasible. "A person has to know if he is comfortable relying on that type of leniency," Rabbi Fishbane points out.

There are many other areas, as well, in which an educated consumer would be well advised to learn about the standards of supervision and determine whether they meet his own personal standards. Rabbi Fishbane enumerates a few examples: "Does the *hechsher* allow scotch aged in sherry casks? Some people have a *chumrah* not to accept that. What is their approach to peeled eggs, onions, and garlic left overnight?" This last point is a common issue, as the caterer often cannot



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prepare the requisite quantity of food on the day of an affair. “If you’re at a morning bris and you see a lox tray with eggs on it, there’s a good chance that those eggs were peeled the night before. Many kashrus agencies treat this issue leniently, but an individual has to know his own standards.

“Some of the devices that are used to avoid halachic problems,” Rabbi Fishbane adds, “are often *bidi’evd* or backup solutions that have mistakenly come to be accepted over time as *l’chatchilah*. But these are inferior standards, and that’s something to be aware of.”

Many of the techniques used in the highly complex world of food preparation at catered events are a mystery to the consumer. How many people are aware of a standard piece of equipment called a “hot box,” a portable metal box measuring over five feet that contains trays on which dishes are placed to be heated for the meal?

“A caterer can’t usually make all of the food on the day of the *simchah*, so the chicken, for instance, is made several days earlier,” Rabbi Fishbane explains. “But then how does he warm it up? He can’t fit hundreds of dinners into an oven in order to warm them up. The solution is to place them all in a hot box and light a Sterno, a small flame, beneath it. Now, everyone uses hot boxes, but almost no one knows how to kasher them. Almost everyone does it wrong. So you have to know that it’s being done in accordance with the appropriate guidelines.”

Other pieces of equipment in the commercial kitchen can also pose formidable challenges for kashrus. One such piece of equipment is the steam system. Often, large kettles of soup are heated by hot steam in a “steam jacket.” But that steam often originates in a nonkosher kitchen, where it was previously used to heat nonkosher food. Steam can even be recycled from the previous day’s use, when it was rendered *treif* by its contact with nonkosher food. A *mashgiach* must be vigilant in making sure this steam is not being reused.

Another area of concern is the dishwasher. “Commercial dishwashers are very hard to kasher. It could take days to kasher them,” Rabbi Fishbane relates. “What do caterers do



when they have a three-day event where they serve dairy and meat meals? I once spoke to a *mashgiach* who told me that he cleans out the dishwasher every morning. That could be a problem because it’s a *ben yomo*. You have to decide if you’re comfortable relying on that type of leniency.”

Modern technology also presents some unique challenges in the realm of *bishul Yisrael*. In order to avoid this complication, the *mashgiach* must be certain that no fire used for cooking is ignited by a non-Jew.

“The biggest kashrus danger in a commercial kitchen,” Rabbi Fishbane comments, “is the convection oven. These ovens have a fan that distributes the heat evenly inside, and they are programmed to shut off whenever the oven door is opened. The kitchen tends to be a very busy place, so even though the *mashgiach* may have turned on the oven, the food will become

prohibited if the cook merely opens the door and closes it again. When he closes the oven door, he performs a new act of *bishul akum* [cooking by a non-Jew] and renders prohibited whatever food is cooked. The solution is for the oven to be reprogrammed to override the fan, so that it will stay on regardless of how many times the door is opened and closed.”

Watch That Staff! The concern of *bishul akum* is further complicated by a hotel staff’s lack of familiarity with the fundamentals of kashrus, according to Rabbi Yosef Krupnik of the Council of Orthodox Rabbis of Greater Detroit. “Imagine an affair where there’s an omelet station. The flame under the omelets tends to go out frequently, and we have to tell the non-Jewish workers that they can’t relight the fire themselves when it goes out; they have

to wait for the *mashgiach*. They’ve never heard of such a bizarre concept!”

Perhaps because the rule is so foreign to them, Rabbi Krupnik adds, workers sometimes forget this “small detail” and relight the flame themselves. This is no laughing matter, for not only will the resultant prohibition of *bishul akum* render the food forbidden, but the food will in turn transmit nonkosher “taste” to the utensils that are used to handle it.

Another little-known complication is that chefs often have their own favorite knives, which they keep with them and use wherever they go. Rabbi Krupnik always emphasized to hotel employees that they cannot use their usual knives even to cut lemons and limes that will be served with drinks. These sharp fruits, when cut with a *treif* knife, become *treif* themselves. “Of course, they don’t understand



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that. We have to see to it that they do not bring these knives into our affairs.”

Rabbi Mayer Kurcfeld, a kashrus administrator with the Star-K in Baltimore, echoes this assessment. “Hotel employees are likely to do whatever they are accustomed to doing. We’ve had incidents where the hotel staff put out coffee, tea, and pastries before an affair, simply because that is what they always did. But in this case, it was a kosher affair and these items were not even under kosher supervision.”

Equally alarming is the following incident that Rabbi Kurcfeld recounts on the Star-K website. A hotel was once hosting multiple events at the same time. A waiter serving at a kosher event was making his way through the

halls with a large tray of kosher turkey sandwiches, when he encountered the head waiter of one of the nonkosher events. The head waiter peered at the sandwiches, decided that they needed some enhancement, and added slices of Swiss cheese to each one, blissfully sending the equally unknowledgeable waiter from the kosher event on his way. The story has a happy ending only because the *mashgiach* discovered the sandwiches in time.

Rabbi Kurcfeld highlights another pitfall of catered affairs that can affect even the most impeccable *hechsher*. “People often go to smorgasbords and simply have no idea what the foods are. I was once at a *simchah* where a certain food was filled with something that looked very much like ground chicken, but I later discovered that it was actually fish. This item was on a platter right next to meat, and

their part, make the mistake of thinking that their major obligation is to please the guests and that they will get credit for every request they fulfill, when in reality, they are simply creating problems.”

Guests might turn to a waiter and request creamer for their coffee or a hot sauce to spice up the entrée. The waiters, who are trained to be obliging and accommodating to the greatest extent possible, react by disappearing to the hotel’s regular kitchen and returning with the item that was requested. And the guests, for their part, assume that the item came from a kosher supply.

Contending with the expectations of a *baal simchah* can also be a major challenge. “Nowadays, people come to their caterers with all kinds of expectations,” Rabbi Krupnik explains. “Often, they saw something they

liked at another person’s *simchah* and they want to replicate it at their own.”

But the host might be limited by various kashrus factors he hasn’t even thought about. For example, an item that was acceptable to one supervisory agency may not be acceptable to another.

Having Your Cake With decades of experience supervising “out of town” kosher affairs, Detroit’s Rabbi Krupnik has keenly pinpointed a number of attitudes that lead to kashrus complications.

“Part of the problem actually has to do with the guests at a *simchah*,” he observes. “People come to an affair with the attitude that whatever they want is automatically going to be available to them. The hotel staff, for

liked at another person’s *simchah* and they want to replicate it at their own.”

But the host might be limited by various kashrus factors he hasn’t even thought about. For example, an item that was acceptable to one supervisory agency may not be acceptable to another.

“There are issues that come up with affairs on Shabbos as well,” Rabbi Krupnik adds. “There are questions of what can and cannot be warmed up on Shabbos, and what a non-Jewish employee can be told to do on Shabbos. Some *hechsherim* are more lenient than others, and some *baalei simchah* may protest, ‘What do you mean, I can’t have that food at my *simchah*? I saw it at my friend’s affair!’ ”

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At other times, a host may be confused by something he saw in a kosher catering hall. “Some people want to copy things that they’ve seen at a hall, but they don’t realize that the equipment or utensils simply aren’t available in a hotel,” Rabbi Krupnik explains. “The hotel might have a large enough supply of drinking glasses for the *simchah*, for instance, but they might not have enough kosher martini glasses, which are often used for serving side dishes or other delicacies in a more elegant manner.”

To avoid misunderstandings, Rabbi Krupnik suggests that a representative of the kashrus agency be present at a caterer’s initial meeting

with a family planning a *simchah*. “That way, if the family and the caterer are discussing certain plans for the affair, the person from the supervising agency will be able to tell them what’s involved, what is possible, and what simply can’t be done.”

Rabbi Kurcfield of the Star-K also has some words of caution for hosts. “Sometimes a *mashgiach* is in the very uncomfortable position of having to tell a host that the family cannot use outside food they brought for the event. We once had a wedding at which the parents had pictures of the *chassan* and *kallah* printed on 300 champagne bottles that they wanted to distribute to the guests. The problem was that



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— Rabbi Mayer Kurcfield

the champagne wasn’t kosher, so we couldn’t allow it into the hall. On another occasion, a family member baked a large number of beautiful challah rolls, but we had to reject them, since no privately baked goods could be allowed.

“In short, a *baal simchah* should present to the *rav hamachshir* anything they’re planning on bringing to the affair. They shouldn’t waste their money on items that are going to be rejected.”

A Pound of Prevention A caterer who is knowledgeable and prepared for any eventuality can be just as valuable to the kashrus-conscious customer as a reliable *hashgachah*. According to Mr. Stuart Morginstin of Danziger Kosher Catering in Chicago, the key to a successful *simchah*, from a kashrus standpoint as well as from a business perspective, is proper planning and research in advance.

“We do kosher catering in over 30 locations in Chicago where we are exclusive, and we also cater affairs in Florida under the supervision of the kashrus agencies there,” Mr. Morginstin says. “We make sure that we are familiar with the facility and familiar with the equipment being used, and we train the staff before an event so that they know exactly what they can and cannot do.

“I can’t take responsibility for the kashrus or the service unless I conduct an inspection of the site beforehand,” he relates. “I need to know what type of equipment there is and how much of it, as well as how to set up an appropriate, organized system for the affair. I need to know what I can offer a client. I can’t sell him something that the facility can’t produce.”

And so, after making sure all the logistics are feasible and understood, Morginstin’s serving staff is given detailed instructions before the affair; a roll call is held before every event, and even staff members who have been working for them for 15 or 20 years are reminded of the comprehensive list of rules that comes with working at a kosher event. And the hotel staff is reminded over and over that under no circumstances is any item to be brought from the hotel’s regular kitchen.

A Shabbos *simchah* has its own set of challenges, and one of them, Mr. Morginstin notes, is selecting the right *mashgiach*. “A *mashgiach* for Shabbos has to be particularly qualified,” he explains. “On Shabbos, he can’t call and ask a *sh’eilah* if he isn’t sure about something. You don’t want someone who doesn’t really know anything and just decides not to take the risk, because that could spoil the affair. But the *mashgiach* has to be familiar with all the rules and standards of the kashrus agency.”

A caterer’s exclusivity arrangement, such as the arrangement Danziger has, is beneficial in that the staff in a facility is not exposed to a variety of standards. In a facility that is alternately used by different caterers, with some permitting what others forbid and still others remaining undecided on those issues, the staff receives mixed messages that often lead to confusion.

Mr. Morginstin adds that his catering contract specifically prohibits a *baal simchah* from bringing his own food to the affair. “It’s not only about kashrus,” he admits. “The quality of the food at a *simchah* represents the caterer. If a *baal simchah* brings in something inferior, a guest is still going to associate it with the caterer. Ultimately, it’s our name that’s on the line.”

Holes in the System While caterers hold primary responsibility for the kashrus of an affair, they don’t work in a vacuum, but operate on the guidance and instructions of the kashrus agencies supervising their affairs. Mr. David Scharf, with 35 years of experience running a successful catering business, says that in his view, this factor lies at the root of many of the faults in kashrus supervision at affairs.

Caterers are certainly capable of adhering to a clear set of guidelines, he says, but often the rules are inconsistent.

“The problem is that there are no unified standards for *mashgichim* in the field,” Mr. Scharf explains. “There are thousands of *mashgichim* operating throughout the country, and every *mashgiach* does things his own way. Eighty percent of their policies are identical,

10 QUESTIONS FOR THE EDUCATED CONSUMER

You’ve been invited to a *simchah*, but how do you evaluate whether the standards of kashrus are in line with your own? In today’s incredibly complex food and hospitality industry, even knowing what to ask can be a challenge. The following is a list of some basic questions, prepared with the assistance of Rabbi Sholem Fishbane of the cRc (Chicago Rabbinical Council):

1. If the kitchen has been *kashered*, were the *kashered* utensils and equipment used within the 24 hours preceding the koshering?
2. Is there a *mashgiach temidi*? If there is, is he the only one with keys to the kitchen?
3. What approach does the certifying agency use to make certain that nonkosher steam from the other nonkosher kitchens is not being recycled and used again in the steam jacket of the kosher soup kettles?
4. What about the dishwasher? If it has been *kashered*, was it *kashered* as a *ben yomo*?
5. What is the policy regarding cracking eggs? Is it done exclusively by the *mashgiach*, or do they rely on the employees to alert him when a blood spot is found?
6. What is the policy on peeled eggs, onions, and garlic left overnight?
7. What are their standards regarding *bishul Yisrael*?
8. Do they allow scotch aged in sherry casks? Which reliable liquor list are they following? Do they allow non-*mevushal* wines?
9. What are their standards for *bedikas tolayim*? Do they use a vinegar/salt wash or a soap wash? Do they allow fresh broccoli, or only use the kosher brands?
10. If the affair will be taking place on Shabbos, what are their standards in terms of *hilchos Shabbos*? How do they handle the use of non-Jewish kitchen and serving staff on Shabbos?

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Wine Woes

The bar, the mark of any honorable host, is one of the biggest challenges to the kashrus of a *simchah*. “The bar has to be triple-checked to make sure that there is nothing there that can compromise the kashrus of the affair,” warns Rabbi Sholem Fishbane of the cRc.

The Star-K prohibits the use of non-*mevushal* wine at affairs under its supervision, and for good reason. “In most other areas, it’s possible to prevent a violation at an affair as long as you work things out properly,” Star-K’s Rabbi Mayer Kurcfeld asserts. “But when there is non-*mevushal* wine at an affair, no matter what you do, there will always be problems.”

Stubborn hosts sometimes insist that they will permit only religious Jews to pour the wine. Rabbi Fishbane warns that this is not an adequate solution. “When a non-Jewish guest approaches the bar for a refill, if there is some wine left in his glass, the entire bottle will become prohibited when the flow of wine from the bottle comes in contact with the wine in the glass. Moreover, when a non-Jew’s glass, with *stam yaynam* in it, goes into the dishwasher, it will transmit that *issur* to the entire dishwasher.”

Rabbi Kurcfeld shares another awkward incident that illustrates the perils of non-*mevushal* wine. “A religious Jewish waiter was once pouring a glass of wine for a very polite non-Jewish guest. The non-Jew graciously took the cup from the waiter and then handed it to the Jew sitting beside him. What should the waiter do in such a case?” he asks significantly. “Should he quickly warn the Jewish guest not to drink the wine? That would be a social faux pas of the highest order.”

but the other 20 percent varies from one *mashgiach* to another. Sometimes even different *mashgichim* within the same kashrus agency have different policies. One might say to cover a table with three layers of Saran wrap, two layers of foil, and three layers of paper. Then the next will say to use one layer of Saran wrap, one layer of foil, and three layers of paper. Universal guidelines are not set, and this creates confusion.”

In Mr. Scharf’s view, there is an even deeper underlying cause for this phenomenon. “A *mashgiach*, like any other professional, should go through schooling that involves tests and practice sessions to make sure he knows what he is doing. But today there is no formal training for a *mashgiach*. There is no school offering a degree, based on predetermined standards, where *mashgichim* are trained in everything they need to know to succeed at their job.”

And there is plenty for them to know. The catering industry is only one small segment of a much larger food production and service industry, and within the realm of catering itself, there is a vast array of information to be absorbed. A *mashgiach* needs to be familiar with modern food service technology and with contemporary practices in the food service industry. Lack of that familiarity may lead to serious mistakes.

“A lack of knowledge of technology and other realities can lead to a vast difference in policies,” he adds. “Take the issue of dishwashers, for instance. We all agree that a dishwasher, in order to be kashered, must be cleaned immaculately and then run on a cycle that satisfies the requirement of *hagalah*. But who determines how to clean it? Do you take it apart altogether, or do you simply wipe it down — inside or outside? I have seen *mashgichim* clean a dishwasher in three hours, and I have seen others spend eight hours on it. Who determines what is required?”

Mr. Scharf says that many of the differences in kashrus guidelines reflect a difference in policy, rather than halachah. “Does the halachah say how many layers of foil and paper you need to use to cover a table? It’s a question of how to prevent mishaps, and that can be subject to differences of opinion.”

On the bright side, he points out that he’s seen a lot of improvement over the years. “Things that were allowed 30 years ago are no longer allowed today. Is it because the halachah changed? Of course not. It’s because the *rabbanim* realized that certain problems were presented by certain pieces of equipment, and so they changed their policies to deal with the new technological realities.”

Today, if a host wants to guarantee a top standard of kashrus, he might seek out a private *mashgiach* he can trust, as well as relying on the kashrus organization. Some *mashgichim* acquire a reputation for being particularly attentive or savvy, and hosts pay extra to have them supervise their affairs.

The bottom line? “People understand that when they go to a restaurant, they need to look for a kashrus certificate. They simply don’t realize that the same applies to catered affairs,” Rabbi Kuber warns. “Even very distinguished people often don’t realize that they may be compromising their kashrus standards by eating at a wedding or other affair. They see everyone else eating, and they think it’s all right for them too. But that simply means that everyone is making the same mistake.” ●