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FROM DREGS TO RICHES



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In medieval folklore, alchemists were supposedly able to transform lead into gold. Their craft was the stuff of fantasy. But in contemporary life, through the wonders of kosher food science, we are witness to a veritable world of transformation. An impressive example of chemical transformation that would make an alchemist envious is the production of silica gel.

The Chemical Transformation of Sand

Silica gel is a desiccant. It is a highly versatile industrial product, used to absorb moisture in toothpaste, paint and telephone wires, among a myriad of other uses. Granules of silica gel fill the little white packets marked “do not swallow” in your shoe boxes. Kosher food applications include silica gel in spices as an anti-caking agent or as an absorbent in an oil refinery.

Chemically, the basic raw material for silica gel is *sodium silicate*. More simply, we know it as *sand*. When sodium silicate is mixed with sulfuric acid, caustic soda and ammonium hydroxide, and undergoes a process of mixing, washing, drying and milling, the result is a super versatile and economically vital product—silica gel—with a myriad of food, pharmaceutical and technical applications, all stemming from good old-fashioned sand!

The Halachic Transformation of Non-Kosher Wine Sediment

Halacha goes even further in its transformative powers. A material that is

¹ Y.D. 123:16.

100% treif— unquestionably non-kosher—can morph naturally into a basic kosher food ingredient. A perfect example of this is the production of cream of tartar. Non-kosher wine sediment found on the sides of wine casks—known in the language of the *Shulchan Aruch* as *veinshtein*—can undergo an amazing transformation to produce *potassium bitartrate*, also known as *cream of tartar*.

How does it work? Tártaros Gonzalo Castelló, a world leading manufacturer of cream of tartar, details the production process. They source potassium bitartrate from *argol*. Argol is obtained from sedimentation which accumulates on the walls of casks used to ferment wine (note that the wine is not necessarily kosher). Over the course of many years, a several-millimeters-thick coat of hardened sediment forms, which is eventually scraped off to harvest the argol. The argol is reacted with potassium carbonate to produce cream of tartar, a STAR-K certified kosher item.

The Transformative Power of Nullification: *Afra d’Ara*

The halachic wisdom behind the intriguing process of transitioning from non-kosher to kosher is contained within a fundamental kashrus principle known as *afra d’ara* (literally, dust of the earth).¹ “Dust of the earth” signifies complete nullification and can be recreated into a kosher entity with no relationship to its former self.

We see that principle beautifully applied in the production of cream of tartar. When grape must sediment in a wine cask becomes

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West Meets East: The Beauty of Sephardi Minhagim



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True to Hashem’s promise, the children of Avraham, Yitzchak and Yaakov are today scattered in countries across the globe, upholding the teachings of the Avot and perpetuating our beautiful mesorah, each according to his own traditions.

A Brief History

Until the 1970s, American Jewry – then comprised mainly of Ashkenazim – was largely unfamiliar with the minhagim of Sephardi Jews¹ and the Bnei Edot Hamizrach.² That changed after 1976, when Rabbi Herman Neuberger zt”l embarked on a daring mission to travel to Iran and bring a small group of young Iranian *bochurim* to Baltimore to learn at Ner Israel. Iranian Jewry in those days had few opportunities to study Torah. This took place during the reign of the westernized, secular leader Shah Mohammad Reza Pahlavi. Rabbi Neuberger’s plan was that once they earned *semicha*, the newly ordained rabbis would return to Iran to teach.

Hashem had other plans. In 1979, the Shah was overthrown during the violent Islamic revolution and the Ayatollah Khomeini established a ruthless regime. Rabbi Neuberger not only ensured that the *bochurim* at Ner Israel would stay in Baltimore, but he also redoubled his efforts to help thousands more Jews to

¹ Refers to descendants of Jews expelled from Spain and Portugal in 1492.

² Refers to Jews of African-Asian origin who adopted the customs of Sephardim. These include Jews originally from Ethiopia, Egypt, Iraq, Iran, Yemen and the Caucasus region – Georgia, Azerbaijan, Tajikistan, Uzbekistan and Armenia.

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A HIGHER CALLING

MAINTAINING KEDUSHAS KEHUNA ON LAND, AIR AND SEA



RABBI MORDECHAI FRANKEL
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The Torah tells us that Ahron and his sons were appointed by Hashem to serve as the first kohanim. The status of *kehuna* passes from father to son, in that a son of a male kohen is also a kohen. The kohanim were ordained to serve in the Beis Hamikdash and commanded to fulfill specific mitzvos.¹

Among these is the obligation for male kohanim to preserve their *kedusha* and to prohibit becoming *tamei meis* – that is, becoming defiled through contact or exposure to a dead body.² Even though we no longer have a Beis Hamikdash, kohanim in our time are still required to observe all the halachos of *tumas meis*, both in and outside of Eretz Yisroel.³ A kohen is restricted from becoming *tamei* even from an *akum meis* (the body of a deceased *aino Yehudi*).⁴ At times of significant need, there is room for a kohen to be lenient and remain under the same *ohel* (roof) as an *akum meis*.⁵

A kohen is obligated to become *tamei* for a *meis mitzva*⁶ as well as for his seven closest relatives:⁷ his father, mother, wife, brother, never married sister, son and daughter.⁸ But even within his family, there are restrictions.⁹ A kohen:

- can become *tamei* for his seven closest relatives only until the *meis* has been placed in the grave and covered with earth.¹⁰ After that time, he should leave the gravesite and stand at least four *amos* away.¹¹
- may not become *tamei* for one of his seven closest relatives if the body is not intact¹² or if the deceased was a *rasha*.¹³
- whose wife has a miscarriage or stillbirth or bears a child who dies within thirty days of birth, in certain circumstances may not remain under the same *ohel* as the fetus or baby.¹⁴

A BRIEF OVERVIEW OF THE HALACHOS OF TUMAS MEIS

Tumas meis is transmitted by touching, carrying or being under the same *ohel* as a *meis*.¹⁵ While a kohen can take care not to touch or move a *meis*, there are circumstances in which he may find it challenging to avoid being under the same *ohel* as one – such as inside a hospital or a museum, or on an airplane that is carrying a *meis*.

The laws of *ohel* are complex, and this article can only touch on some of the issues involved. Here is a cursory overview of some of them:

- The prohibition for a kohen to be under the same *ohel* as a *meis* applies not only to an intact body but also to various body parts: a complete skull; a spine with vertebrae; the majority or a *rova* (11.6 oz.) of bones of a *meis*; a *kezayis* of flesh from a *meis*; a *revi*'s of blood that flowed out after death.¹⁶
- A limb conveys *tumas ohel* even if amputated from a live person,¹⁷ and even if the amputee was the kohen himself.¹⁸ In this context, a limb is defined as a complete bone with all (or almost all) flesh and sinews attached.¹⁹
- A kohen cannot be under the same *ohel* as a coffin containing a *meis*.²⁰
- A kohen cannot be under the same *ohel* as a *goseis* (someone close to death).²¹
- If two locations are under one *ohel*, *tumas meis* can spread from one location to the other. A kohen is not allowed to remain in any place to which *tumas meis* has spread. When a *meis* is in a room with a roof, the *tumah* will spread throughout the room. If there is an open doorway or window in that room—or any opening the size of a *tefach* by *tefach* (3.1 x 3.1 in.) or larger – the *tumah* will spread to an adjacent roofed room, unless there is airspace between the two roofs such that they are not touching each other.²²
- If an opening is blocked by something that is not *mekabel tumah*, the *tumah* will generally not be able to spread through that opening.²³ A door and its hinges are not *mekabel tumah* when manufactured with the intent to attach them to a building.²⁴ A windowpane is also not *mekabel tumah*. Therefore, if there is a *meis* in a room, closing all the doors and window will generally stop the *tumah* from spreading out of the room.
- If a *meis* is in a room with closed doors, and it is undecided through which door the *meis* will exit, then all the doors are treated as though they were open.²⁵ Once it has been decided through which door the *meis* will exit, only that door is considered as though it was open.

1 A male child born to a kohen through an illicit relationship may, under certain circumstances, be classified as a *cholol*. The restriction of becoming *tamei meis* does not apply to a *cholol* see *Shulchan Aruch Yoreh Deah* (S.A. Y.D.) 370:2. Regarding descendants of a *cholol*, see *Shulchan Aruch Even Ha'ezzer* 7:12.
2 Vayikra 21:1.
3 S.A. Y.D. 360:1.
4 S.A. Y.D. 372:2.
5 *Igros Moshe* Y.D. 2:166.
6 S.A. Y.D. 374:2.
7 S.A. Y.D. 373:3.
8 A kohen should not become *tamei* for his sister if she is or was married, or if she is a *beulah* (See S.A. Y.D. 373:4). A kohen is not permitted to become *tamei* for a grandparent, grandchild, stepparent, stepchild or adopted child. He is also not permitted to become *tamei* for his half-brother and half-sister, where he and they share the same mother but not the same father (S.A. Y.D. 373:4). The prohibition of *tumas meis* applies even if the *meis* was a *tzaddik* (See *Pischei Teshuva* 372:2).
9 A rabbi should be consulted when there is any doubt regarding these conditions.
10 S.A. Y.D. 372:6.
11 *Igros Moshe* Y.D. 1:252.
12 S.A. Y.D. 372:9, see also *Igros Moshe* (Y.D. 1:251 and 2:165) regarding a kohen becoming *tamei* for a relative who has had internal organs removed, and *Igros Moshe*, *ibid*, and *Shevet Halevi* 3:161 regarding becoming *tamei* for a relative who was missing a limb when still alive.
13 S.A. Y.D. 372:8; Rav Moshe Heinemann *shlit"i* concurs with *Shevet Halevi* 6:176 who states that a kohen should not become *tamei* for a relative who was *mechalel Shabbos befarbesya*.
14 Rambam *Hilchos Tumas Meis* (T.M.) 2:1, *Shach* 369:1.
15 Rambam T.M. 1:1.
16 Rambam T.M. 3:1.
17 Rambam T.M. 2:3.
18 *Pischei Teshuva* 369:3.
19 See Rambam, *ibid*, stating that *tumah* of an *eiver min bachai* applies when the limb is complete with flesh, sinew and bone; Rambam then addresses the case when some of the flesh is missing.
20 Rambam T.M. 7:4.
21 S.A. Y.D. 370:1, *Shach* 370:3.
22 S.A. Y.D. 371:1.
23 S.A. Y.D. and *Rema* 371:1.
24 S.A. Y.D. 371:16 and *Pischei Teshuva* 371:9; regarding the nails and screws, see *Mishmeres Hakohanim* chapter 9 footnote 8.
25 S.A. Y.D. 371:4.

If a kohen is in a building and there is a *meis* in a different room, the kohen should immediately close all the doors and windows of the room that he is in. This will prevent *tumah* from entering the room, as long as it is clear that the *meis* will not exit the building through the doors of that room. Alternatively, the kohen should leave the building immediately.²⁶

A person should inform a kohen if he is unaware that there is a *meis* in the building. If the kohen is not fully dressed and will be embarrassed to go outside, one may tell him to get dressed and leave the building, without explicitly explaining why.²⁷

HOSPITALS

There are a numerous sources of *tumas meis* that may be found in a hospital. Apart from *meisim*, there are patients who fall into the category of *goseis*. A hospital will at times contain severed limbs and aborted fetuses. Additionally, body parts are routinely transferred to the pathology department for analysis.

Hospitals generally contain multiple doors between floors and between departments, limiting the spread of *tumah*.²⁸ For this reason, some areas of a hospital may be less problematic than others. However, it is difficult to make an assessment without being well acquainted with the layout and practices of the hospital.

A kohen entering a hospital will generally not know whether there is *tumas meis* present at that moment. There is considerable discussion in the *poskim* as to how to treat cases of *safeik* (uncertain) *tumah*. Broadly speaking, their conclusion is that a kohen should avoid entering a hospital unnecessarily due to concerns of *tumas meis* but may enter when needed.

Rav Moshe Feinstein *zt"l* writes that, if particularly necessary, a kohen may visit a close relative in a hospital, provided it is not known that there is a Jewish *meis* onsite and that most patients are not Jewish.²⁹ This *psak* may not apply to a hospital in Israel, as most patients there are Jewish. Before entering a hospital in Israel, a kohen should talk to a rabbi familiar with the hospital.

Some of the mitigating factors to permit a kohen to enter an American hospital include:

- At times of significant need, a kohen can be lenient regarding *tumas ohel* of an *akum meis*
- Only the minority of patients are Jewish
- It is a *safeik* whether any of the Jews present are *meisim*

- There is an additional *safeik* whether the *tumah meis* would spread to the area being visited
- There is a *halacha le'Moshe mi'Sinai* to be lenient regarding *safeik tumah* in a public area, which arguably may apply in this scenario³⁰

MUSEUMS

Museums sometimes contain human remains. It is often difficult to ascertain whether the exhibits are real or replicas; one cannot rely on museum workers to provide an accurate answer. Exhibits are generally enclosed in cases, which may prevent the *tumah* from spreading. However, not all cases are constructed in a manner that is halachically capable of containing *tumah*.³¹

Museums are typically open areas without closed doors, allowing *tumah* to spread throughout the building. For this reason, kohanim generally refrain from entering museums that contain human remains.³² A kohen should also avoid entering a museum that contains mummies.³³

AIRPLANES

It is common for *meisim* to be flown to Eretz Yisroel for burial, and the *poskim* debate whether *tumas meis* can spread from the cargo area to the passengers. Airplanes are primarily made from aluminum. Although most metals are *mekabel tumah*, some *poskim* contend that perhaps aluminum does not, and thus may act as a barrier to prevent *tumah* from spreading.³⁴ Other *poskim* disagree,³⁵ while others contend that it cannot serve as a barrier when the airplane is moving.³⁶ Therefore, a kohen should not travel on an airplane that is transporting a *meis*.³⁷

One solution that has been implemented is to place the coffin inside a plastic box, constructed to prevent *tumah* from spreading. This solution, however, raises its own concerns:

- The box may be categorized as a *kli* (utensil) which cannot block *tumah* from spreading.³⁸
- The box may not be able to prevent *tumah* from spreading when the airplane is moving.³⁹
- There is no way to confirm that the airline actually placed the coffin inside the box.⁴⁰

The author wishes to thank Rabbi Yosef Fund of the Vaad Hacoehanim in Lakewood, NJ, for his assistance with this article. ☆

For information regarding flights, please contact the Vaad Hacoehanim at lakewoodkohanim@gmail.com or 732-523-5020.

26 The pathways through which *tumah* may spread are not always obvious. To give one example, imagine a scenario where there is a *meis* in a room and a kohen in an adjacent room. There are no doors or windows between the two rooms. Both rooms have windows open to the outside, and the roof of the building has an overhang. The *tumah* will spread from the *meis* throughout the room, through the window, under the overhang, into the adjacent window, and into the adjacent room. The kohen must close the window or leave.

27 *Mishmeres Hakohananim* 22:16; Rav Heinemann concurs.

28 It should be noted that some hospitals tend to leave doors propped open, furthering the spread of *tumah*.

29 *Igros Moshe* Y.D. 2:166.

30 See *Igros Moshe*, *ibid*, *Tziyunei Halacha on hilchos aveilus* chapter 10, quoting Rav Elyashiv *zt"l*, and *Mishmeres Hakohananim* chapter 21.

31 See *Mishmeres Hakohananim* chapter 1 footnote 31 and *hearos u'miluim* at the end of the *sefer*, *Midarchei Hakohananim* by Rabbi Mordechai Millunchick (Chicago: self-published, 2009), pp. 64-72 and *simanim* 2 and 6 at the end of the *sefer*.

32 *The Kohen's Handbook* by Rabbi Yochanan Alexander Lombard (Jerusalem: Jerusalem Publications, 2005), p. 111.

33 *Mishneh Lmelech Hilchos Aveil* 3:1, *Maharsham* 1:215.

34 See *Igros Moshe* (Y.D. 2:164 and 3:22); it should be noted that more than 10% is made from steel.

35 *Tiferes Yisroel* introduction to *Tabaros* (titled *Yevakesh Daas*) #44, *Tziyunei Halacha on hilchos aveilus* page 298 quoting Rav Elyashiv.

36 See *Chazon Ish* Nazir 144:9, *Shevet Halevi* 9:251.

37 See *Mishmeres Hakohananim* chapter 9 footnote 24 quoting Rav Dovid Feinstein *zt"l*.

38 See *Minchas Shlomo* (Rav Shlomo Zalman Auerbach *zt"l*) 1: 72 *anaf* 3.

39 See *Birchas Ha'ohel* pages 448 and 449.

40 See *Mishmeres Hakohananim* 9:9.

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dry and crystalline, it loses every vestige of its former identity and can thus be transformed—in the words of the Mechaber, the Beis Yosef—into *afra d'ara*.

This principle has advantaged the kosher cream of tartar market. The high demand for this valuable industrial product has diminished the world's supply of argol. To satisfy that demand while circumventing the long wait for sediment buildup, dregs from pressed grape juice productions—the *shmorim*, which are bountiful—are converted into *afra d'ara* to create the potassium bitartrate. Not only are the dregs dried under the hot Spanish sun, but tractors also actually run over them, further crushing them and literally transforming them into *afra d'ara* (see Fig. 1). The pulverized dregs are then placed inside a high heat reactor, purified and filtered, to produce high quality kosher potassium bitartrate.



Fig. 1: *Afra d'ara* from grape sediment

Since Chazal established this *afra d'ara* principle, it is worth pondering if the principle can be extended further.

The Power of Nullification in the Aging of Scotch

Can we proceed to apply the transformative power of *afra d'ara* to non-kosher ex-sherry casks used to age scotch? Let's first review the aging process and the use of ex-sherry casks.

Traditionally, a winemaker will ferment grape musts in a wooden oak barrel called a cask. Different varieties of wine—such as *sherry*, *port* and *madeira*—can be aged in these casks. (Those who remember reading “The Cask of Amontillado” by Edgar Allan Poe in high school may not know that *amontillado* is a variety of sherry wine.) Coopers (barrel craftsmen) fashion the casks out of curved wooden *staves*. (This will be an important detail to keep in mind for later.)

When the wine has finished aging, the cask is emptied and is ready for use as an ex-sherry cask. There is a brisk high-end resale market for ex-sherry casks, as opposed to ex-bourbon casks.² The latter are sold to scotch producers in Scotland, where wood is scarce and where they can fetch a price of \$100-\$200 per cask. A single ex-sherry cask, by contrast, can sell for \$1000 or more.

Over five hundred years ago, Chazal referred to whiskey, a neutral grain spirit, as *yayin saruf*—literally, “burnt” or “fiery wine.” In a similar vein, Native Americans, when introduced to whiskey, famously termed it “firewater” in recognition of its pungent taste. Appropriately, halacha considers whiskey to be a *davar charif*—a “sharp” beverage.

The color of freshly distilled scotch whiskey is as clear as vodka or gin. To age scotch, distillers avail themselves of both ex-bourbon and ex-sherry casks. After aging for a minimum of eight years—the low end of the aging spectrum of scotch—the scotch acquires taste and color. The longer the age, the deeper the amber. Whereas bourbon aged in

new casks can be ready after six years, scotch aged in ex-wine casks takes a lot longer to reach its goal.

Now we're ready to examine how the aging of whiskey in non-kosher ex-sherry casks affects the kashrus of the aged scotch. We know that *veinshtein* loses its identity after twelve months. Does an ex-sherry cask that has lain dormant for twelve months (or longer) similarly lose its wine identity? The answer is, yes. The *Shulchan Aruch* notes that vessels which have lain dormant for at least twelve months are permitted for kosher use, as any moisture within them will surely have evaporated in the interim and any remnant of wine in the wood will have been neutralized.³

I turned to STAR-K Rabbinic Administrator Rav Moshe Heinemann *shlit"á* for his insights. The Rav was quick to quote a Shach who distinguishes between casks used to age whiskey from those that have been nullified via the *afra d'ara* principle: “...*kol sh'misyashnim nosein taam l'shevach*” — that which is aged imparts beneficial taste.⁴ Based on the Shach,

the Rav agrees that product aged in a wine cask improves over time. An ex-sherry cask nullified through *afra d'ara*, however, is permitted for the production of kosher scotch.⁵

Due to recent developments in the production of scotch, however, we are no longer necessarily dealing with truly “nullified” sherry casks. Not all ex-sherry casks used in the industry today are of the twelve-month dormant variety. Rather, they are being “seasoned”—a process in which wine is being added or left inside them to give the ex-casks resilience.⁶ That being the case, we have to examine whether the scotch is compromised from a kashrus perspective.

A *seasoned* cask, or one that has been dormant for less than twelve months, will impart beneficial taste to the whiskey. This opinion is shared by the Minchas Yitzchak, who says that using such casks to age scotch is akin to mixing them with wine—a view that is in line with the Rav's position.⁷

A seasoned sherry cask which contributes to the taste of the aging scotch cannot be nullified. So how are we to understand how *bitul*, nullification, works in the case of aged scotch?

To properly understand nullification, one needs to know that the ratio of wine in the final product must be less than 1:6 (i.e., one part in seven). The salient question is, how much wine is actually absorbed in an ex-sherry cask? To arrive at the correct conclusion, Rav Heinemann provides three important observations:

1. **Casks are combined:** Most scotches—single malt or blended—are aged in a combination of ex-bourbon and ex-sherry casks. The amount of product aged in ex-bourbon casks is subtracted from the total. That leaves only the portion aged in ex-sherry casks to figure in the calculation.

2 Bourbon is a type of whiskey comprised of at least 51% corn and matured in charred new oak barrels at 125 proof. (See <https://mybartender.com/articles/whiskey-terms/> accessed September 4, 2024.)

3 Y.D. 135:16.

4 *Shulchan Aruch* Y.D. 137:2, sh"ut 11.

5 The reason is because after twelve months the cask loses its wine identity. This is similar to those who do not eat *gebrochts* on Pesach but permit eating kneidlach on the last day; the following Pesach, they may use the *keilim* used to prepare and serve the kneidlach because these *keilim* were dormant for twelve months, after which time the absorption of *gebrochts* on the dishes became nullified.

6 See <https://malt-review.com/2021/12/03/a-whisky-beginners-guide-to-sherry-casks/> (Accessed September 4, 2024).

7 Vol. 2, 28:2.

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escape. He successfully petitioned the U.S. State Department to recognize Iranian Jews as refugees and he waived the tuition of Persian students learning at the yeshiva. Through his incredible foresight, Rabbi Neuberger is credited with enabling 60,000 Persian Jews to resettle in the U.S.

For all of this, we could say *dayeinu*, but Rabbi Neuberger went even further. It was very important to him that the *bochurim* preserve their beautiful Sephardi minhagim and mesorah. To accomplish this end, he established for them their own *minyanim*, complete with *Birchat Kohanim* throughout the year! Their *limud* was specifically focused on the world of Edot Hamizrach and on preserving the practices of Sephardi halachot, age-old minhagim, and the teachings of Rabbi Yosef Caro, the Mechaber – Maran Beit Yosef *zt”l*.

The Creation of STAR-S

Ner Israel is credited with producing a new generation of Sephardi *roshei yeshiva*, *rabbanim*, *poskim* and *mechanchim*, thereby enabling their beautiful mesorah to be perpetuated into the next generation. Largely to the yeshiva’s credit, strong and vibrant Sephardic communities have been established throughout the U.S. To meet their kashrut needs, as well as those of Sepharadim and Bnei Edot Hamizrach around the globe, STAR-K developed STAR-S, a subsidiary certification, which addresses their specific minhagim and halachot.

While there are many areas in which they differ from their Ashkenazi brethren, Sepharadim abide by *chumrot* in four key areas: *Bishul Beit Yosef*, *Chalakh Beit Yosef*, *Yashan* and *Hamotzi*. There are also a host of differences with respect to the halachot of Pesach. We will review each of these briefly below.

Bishul Beit Yosef

While Ashkenazim require *Bishul Yisrael*, Rama permits foods cooked by an *aino Yehudi*, provided the fires are lit by a Yisrael.³ Per Maran Beit Yosef, these foods may not be eaten and should be considered *Bishul Akum* unless at least the first third of the cooking is performed by a Yisrael. This halacha has implications in restaurants, manufacturing facilities and in tuna fish productions. STAR-S certified establishments and products meet *Bishul Beit Yosef* requirements.

Chalakh Beit Yosef

A cow’s lungs are the key determinant of its health. A healthy lung will be perfectly smooth – *chalakh* in Hebrew or *glatt* in Yiddish – and free of any blemishes, *sirchos* (adhesions) or punctures.

Poskim differ widely as to the acceptability of the various imperfections that can be detected in the lungs. While all of them agree that a hole or puncture in the lung is a *treifah* and indicates that the animal was ill (and would have died within a year), that is not the case regarding *sirchos*.⁴

If a *sircha* is detected, removing it could create a hole, thereby resulting in a *treifah*. If the removal can be done gently, by lightly rubbing, and a hole does not result, Rama allows it. The Gra and Maran Beit Yosef do not. According to the latter, *sirchos* of any kind disqualify the animal. STAR-S certified beef abides by this ruling. Note that this stringency only applies to beef. *Glatt* lamb and veal do meet the standards of Beit Yosef.

Yashan

While many Ashkenazic communities outside of Eretz Yisrael are lenient concerning grain products that are not *Yashan*, Maran Beit Yosef and all Sephardic communities are *machmir* in this regard.

Hamotzi Bread

Rama rules that all bread that qualifies as *turita d’nahama* – i.e., it looks like a bread – is considered to be *Hamotzi*. Maran Beit Yosef rules that bread that has a taste (e.g., from sugar, honey, cinnamon and the like) is *Mezonot*. Therefore, Sephardim consider egg challot or sweet rolls to be *Mezonot*. The same is true of *matzah ashira*, year-round and on Pesach, as will be discussed further below.

Kitniyot on Pesach

Kitniyot, or legumes, includes rice, corn, peas, certain seeds and all beans, including green beans. The halachic definition of *kitniyot* are products that can be cooked and baked in a fashion similar to chametz grains but are not halachically chametz.



³ Y.D. 113.

⁴ For a deeper discussion on this topic, and to understand why cattle raised in South America are much more likely to be healthier and free of *sirchos*, see “Produccion de Carne Kasher,” *Kashrus Kurrents*, Spring 2024, <https://www.star-k.org/articles/kashrus-kurrents/13972/produccion-de-carne-kasher-shechita-flies-south/>.

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- Wine is not fully absorbed:** While the wine ages in new sherry casks, the taste seeping into the staves of the casks is only *partially* absorbed. This is evidenced by observing the staves once the casks are emptied: the purple color will not have penetrated the entire stave. Even though whiskey is considered to be a *davar charif* capable of transferring the taste of wine to an ex-sherry cask, the partial absorption allows for the halachic nullification of any non-kosher wine taste into the final aged product.
- Water is added:** To achieve the desired proof (i.e., the percentage of alcohol in the final version), the scotch is diluted with water.

These are three significant factors that contribute to the *bitul* threshold, thereby nullifying the wine taste.

There is, however, another factor to permit the scotch. This is a concept known as *zeh v'zeh goreim*—literally, “this and that caused the change”—that applies here. According to this principle, when two elements work in tandem to create a desired outcome, and if the outcome would be less desirable absent the partnership of the two elements, the product resulting from the combined effort is permitted.⁸

In our scenario, it is both the *tannins* inside the wood of the cask and the *sherry* imbibed by the staves which impart the taste to the aged scotch. Each one alone would not yield the same result. *Zeh v'zeh goreim* says that, in this case, the scotch is permitted.

The Nullification of Bitul: The Concept of Avida d'Taama

The factors elucidated above provide a sound basis for the nullification of ex-wine casks. But there are situations in which the nullification is essentially *nullified*, and the ex-casks are not permitted. This concept is referred to as *avida d'taama*, when there is an imparting of taste. This practice supersedes *bitul*. When they emphatically promote their sherry cask-aged whiskeys in their advertising, scotch makers

are saying that their products have a special taste that is superior to ordinary whiskeys and which may be worth a higher price tag.

As a point of illustration, Macallan, one of the world's most prestigious scotch producers, markets its scotch as being aged exclusively in sherry casks. In 2018, a bottle of 60-year-old Macallan 1926 whisky sold for over \$1.1 million. This record was broken again in 2019, after a bottle of Macallan's Fine and Rare 60 Year Old 1926 sold for \$1.9 million.⁹ Most recently, in September 2024, it released an 84-year old single malt produced in 1940 and long-aged in two different sherry-seasoned oak casks.¹⁰ Its price is yet to be determined but is sure to be astronomical.

Distillers who use specific terms on their labels—such as, “aged in sherry casks,” “double filled,”¹¹ or “finished”¹²—are explicitly announcing an *avida d'taama* product. They are indicating that they intentionally imparted wine taste to their whiskey. Labels bearing these terms indicate that non-kosher flavor has been imparted into this scotch selection. These whiskeys are *not acceptable* for kosher consumption.

Raising a Glass to Kosher Spirits

It is always preferable for consumers to purchase scotch with reliable kosher certification. Before purchasing non-certified aged scotch, consumers should take special care to read the label on the bottle to ensure they are avoiding an *avida d'taama* situation. It is worth noting that many STAR-K kosher-certified scotch varieties aged in kosher ex-sherry wine casks have won awards in international scotch competitions. The kosher consumer now has a plethora of varieties from which to choose and which compromise neither on quality, taste nor kashrus. *L'chaim!* ☆

STAR-K reminds readers of the importance of consuming alcohol responsibly and in a “kosher” manner.

8 The classic case of *zeh v'zeh goreim* is something grown in a Petri dish. A non-kosher enzyme in the media serves to facilitate the conversion or fermentation process. The conversion could have taken place sans the enzyme, but the result would have been less optimal. Through *zeh v'zeh goreim*, the result is *mutar*.

9 See <https://luxedigital.com/brand/macallan/> (Accessed September 4, 2024).

10 <https://robbreport.com/food-drink/spirits/the-macallan-time-space-oldest-single-malt-scotch-whisky-to-date-1235841671/> (Accessed September 4, 2024).

11 *Double-filled* means that the aged product is refilled exclusively into ex-wine (e.g., ex-sherry, ex-port, or ex-madeira) casks.

12 *Finished* refers to a process in which the whiskey, after its initial maturation, is transferred to a different cask for a secondary aging period (and is another way of stating “double filled”).

West Meets East: The Beauty of Sephardi Minhagim

CONTINUED FROM PAGE 5

The Rishonim, who mostly lived in Spain during the Golden Age, permits the usage of *kitniyot* on Pesach, as does Maran Beit Yosef. Ashkenazim refrain from doing so.

STAR-S pioneered domestic production of *Kitniyot l'Pesach* to a Mehadrin standard for Sephardim. This is also beneficial for Ashkenazi *cholim* and infants, who may consume *kitniyot* on Pesach with separate *keilim*.

Using Rice on Pesach

Ashkenazim may not be aware of the intricate halachot involved to permit rice on Pesach. To be acceptable for Sephardim, the rice must be:

- completely natural and unadulterated – enriched varieties are not permitted
- packed in sacks that had never been used for grains
- carefully checked, grain-by-grain, three times, to ensure there is no foreign matter present (e.g., wheat or barley)

STAR-S certified rice for Pesach must still be checked prior to usage as per Sephardi minhag.

Matzah Ashira on Pesach

Ashkenazim consume “*lechem oni*” during Pesach – literally, “poor man's bread,” which is made only from flour and water. Sephardim use *lechem oni* for their *Sedarim*, as per the halacha, and use it to wash for *Hamotzi*. Otherwise, they may partake of *matzah ashira* with a good Kosher l'Pesach certification. *Matzah ashira* is made of a dough mixed with a liquid other than water – such as wine, fruit juice, apple cider, honey or eggs. Rama permits *matzah ashira* for Ashkenazim for *cholim* only.

A Welcoming Table

The *Shulchan Aruch* encompasses the halachot of the Mechaber, Maran Beit Yosef, and the commentary of Rama. One who studies the *Shulchan Aruch* is learning from both *poskim*. Our *chachamim* describe their relationship as that of a *shulchan aruch* – a table set by Maran – with the *mapah* (tablecloth) of Rama. It is a testament to the incredible respect our mesorah has for the minhagim of both Sepharad and Ashkenaz, and how different minhagim and halachot can dwell peaceably side by side – giving *nachat* to the *Ribono Shel Olam* when He sees His children living in harmony. ☆



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