

THE Daf HaKASHRUS



A MONTHLY NEWSLETTER FOR THE OU RABBINIC FIELD REPRESENTATIVE

CHOLOV STAM REVISITED

BY RABBI AVROHOM GORDIMER
RC - Dairy

Halacha states that milk which is produced without hashgacha (*riyah* of a Yisroel) is non-kosher; such milk is termed "cholo'v akum". This rule is a *gezeirah*, lest milk from non-kosher animals be mixed into

what otherwise could be assumed to be kosher milk. Milk is only permissible when a Yisroel watches the milking, verifying that milk from non-kosher animal species is not incorporated. (*Yoreh Deah* 115:1, from *Maseches Avodah Zarah* daf 35b)

In his famous teshuva about regular (not specially-supervised) milk - what we call "cholo'v stam", Reb Moshe Feinstein zt"l rules that such milk is permissible, as governmental inspection of dairies serves as verification that milk from non-kosher animals is not present; since governmental inspection establishes the absence of milk from non-kosher animals as a known fact, the rule of *Annan Sahadei* - that we are all virtual witnesses to the fact - pertains, and it is as if there is actual visual supervision (by Klal Yisroel) of the milk in domestic dairies. (*Igros Moshe* YD 1:47)

In teshuva 49 (ibid.), Reb Moshe addresses the question of farms. Although there is governmental inspection of dairy plants, where milk is pasteurized and bottled, much of the milk comes from farms, which Reb Moshe describes as often lacking supervision. If so, how could the rule of *Annan Sahadei* apply

continued on page 14

DRINKING COFFEE ON THE ROAD

BY RABBI ELI GERSTEN
RC - Recorder of OU Psak and Policy

Considering the long days that Mashgichim put in and the hundreds of miles that they drive daily, it is no surprise to hear that

most mashgichim rely on coffee to keep them going. While caffeine is a plus for those who work in an office, for those out on the roads those 10 minute coffee stops are quite literally life savers. Let us take a moment to understand if there are any kashrus concerns with picking up a coffee while traveling on the road. This question was presented to the OU poskim Rav Schachter and Rav Belsky.

The primary ingredients in plain black coffee (water, sugar and unflavored coffee) are all group 1, acceptable from any source.

The *Pri Chadash* Y.D. 114:6 says that although coffee cannot be eaten raw and is served at the tables of kings, there is no issue of bishul akum. He explains that since coffee is essentially a water-based drink, since water can be drunk uncooked, coffee too is permitted.

The *Gemara* (*Avoda Zara* 31b) says that one may not drink beer in a non-Jewish establishment, since this can lead to intermarriage. One must take the beer back to their house before drinking. The Rambam says that cider may be drunk at a non-Jewish establishment since it is not as common a drink as beer. What about coffee?

continued on page 15



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FORWARD 50 INCLUDES RABBI MENACHEM GENACK

Rabbi Genack is included in the Forward's annual list of the 50 most prominent people in the Jewish world.

As the kosher meat industry nearly fell apart over the last year, it was Rabbi Menachem Genack who was trusted to hold things together. As the CEO of the country's largest kosher supervisor, O.U. Kosher, Genack, 60, was sought out by people inside and outside the industry after America's largest kosher meat producer, Agriprocessors, was hit with an immigration raid, criminal charges and eventually bankruptcy. The sequence of events had the potential to cripple the supply of meat to observant Jews across the country, but Genack avoided showing any signs of panic. At the beginning, his slow and steady leadership disappointed many liberal voices in the Jewish community, who wanted him to take more forceful action against Agriprocessors. Later on, when the weight of evidence piled up against the company, Genack was willing to disappoint many in the Orthodox community by demanding that Agriprocessors change its leadership. This approach has not been enough to stop the implosion of Agriprocessors — and the human and animal suffering that came along with it — but Genack has supplied a modicum of sanity to an industry in crisis.

Along with the rest of Klal Yisroel, we bitterly mourn the murders of all the Kadoshei Mumbai Hy'd including Rabbi Gavriel Noach and Mrs. Rivka Holtzberg Hy'd of the Mumbai Chabad House as well as the Mashgichim Rabbi Aryeh Leibush Teitelbaum Hy'd and Rabbi Benzion Korman Hy'd who were killed על קידוש השם in the midst of their קידוש השם.

נחמה רבש"ע grant their esteemed families a complete נחמה.

המקום ינחם אתכם בתוך שאר אבלי ציון וירושלים

CHOLOV STAM

continued from previous page

to permit milk? Is there not a lapse in supervision, such that the milk was lacking any governmental supervision from the time it was farmed until it arrived at the dairy plant?

Reb Moshe replied to the person who posed this question that Chazal were *gozair* on milk only at the point of its transfer to a Yisroel “bo l’yad Yisroel”. Therefore, only milk which comes to the Jewish consumer from dairy processors can be prohibited as cholov akum; milk which is at farms and travels to dairy plants is not yet subject to the *gezeirah*. Once this milk is at the dairy plants, it is subject to governmental inspection and becomes the halachic equivalent of cholov Yisroel, as *Annan Sahadei* applies at that point and tells us to treat the milk as supervised by Yisroelim.

An obvious problem arises in modern times, as governmental inspections of dairies - at least today - does not include tests to determine the animal species from which the milk came. (See

Further investigation uncovered a new basis for Rav Moshe Zt”l’s heter of Cholov Stam under current conditions. I arranged a conference call with Rav Belsky and Reb Zev Osdoba, the outstanding RFR at Ahava Dairies, who has worked very extensively with state and federal inspectors over the course of many years, and who provided me with reams of documentation on the details of government inspection programs and requirements. Reb Zev revealed the following information (which I later corroborated independently by reviewing state and federal government websites and speaking with dairy companies): Currently, the government inspects all milk farms 2-6 times per year.

Governmental (state) farm inspection protocol specifically includes a provision that only cows are in the farms’ milking parlors and/or cowyard. This provision (formulated in terms of swine) is part of the standard farm inspection form. (See sections of Dairy Farm Inspection Forms below and next page.)

Government inspectors track the intake and output of all milk at dairies. Thus, the source farms are identified by the inspectors, and they must correlate with farms approved by the government.

Reb Zev also related that state farm inspectors told him that they have never encountered horses, pigs or other livestock (besides cows) on dairy farms, and that were they to do so, they would immediately report it as part of their responsibilities.

In light of this current state of affairs, such that the farms are indeed uniformly inspected for non-kosher animals, and the dairy plants’

inspectors work with the farm inspectors’ data, Rav Belsky ruled that the heter of cholov stam applies for those who wish to rely on it, albeit based principally on farm inspections rather than on dairy inspections. The correlation of data between the farm and dairy inspections extends the farm inspections’ efficacy to the dairies,

Department of Health and Human Services Public Health Service Food and Drug Administration		MILK PLANT INSPECTION REPORT (Includes Dry Milk/Condensing Plants, Receiving Stations, Transfer Stations, and Milk Tank Truck Cleaning Facilities)		INSPECTING AGENCY	
NAME AND LOCATION OF PLANT		POUNDS SOLD DAILY		Milk _____ Other Milk Products _____ Total _____ Permit No. _____	
Inspection of your plant today showed violations existing in the items checked below. You are further notified that this inspection report serves as notification of the intent to suspend your permit if the violations noted are not in compliance at the time of the next inspection. (Refer to Sections 3 and 5 of the <i>Grade "A" Pasteurized Milk Ordinance</i> .)					
1. FLOORS: Smooth, impervious; no pools; good repair; trapped drains. (a) _____ 2. WALLS AND CEILINGS: Smooth; washable; light-colored; good repair (a) _____ 3. DOORS AND WINDOWS: All outer openings effectively protected against entry of flies and rodents. (a) _____ Outer doors self-closing; screen doors open outward (b) _____ 4. LIGHTING AND VENTILATION: Adequate light in all rooms (a) _____ Well ventilated to preclude odors and condensation; filtered air with pressure systems (b) _____ 5. SEPARATE ROOMS: Separate rooms as required; adequate size (a) _____ No direct opening to barn or living quarters (b) _____ Storage tanks properly vented (c) _____ 6. TOILET FACILITIES: Complies with local Ordinances (a) _____ No direct opening to processing rooms; self-closing doors (b) _____ Clean; well-lighted and ventilated; proper facilities (c) _____ Sewage and other liquid wastes disposed of in sanitary manner (d) _____ 7. WATER SUPPLY:		13. STORAGE OF CLEANED CONTAINERS AND EQUIPMENT: Stored to assure drainage and protected from contamination (a) _____ 14. STORAGE OF SINGLE-SERVICE ARTICLES: Received, stored and handled in a sanitary manner; paperboard containers not reused, except as permitted by the Ordinance (a) _____ 15a. PROTECTION FROM CONTAMINATION: Operations conducted and located so as to preclude contamination of milk, milk products, ingredients, containers, equipment, and utensils (a) _____ Air and steam used to process products in compliance with Ordinance (b) _____ Approved pesticides, safely used (c) _____ 15b. CROSS CONNECTIONS: No direct connections between pasteurized and raw milk or milk products (a) _____ Overflow, spilled and leaked products or ingredients discarded (b) _____ No direct connections between milk or milk products and cleaning and/or sanitizing solutions (c) _____ 16a. PASTEURIZATION-BATCH: (1) INDICATING AND RECORDING THERMOMETERS: Comply with Ordinance specifications (a) _____ (2) TIME AND TEMPERATURE CONTROLS: Adequate		15d. REGENERATIVE HEATING: Pasteurized milk-aseptic product in regenerator automatically under greater pressure than raw product in regenerator at all times (a) _____ Accurate pressure gauges installed as required; booster pump properly identified, when required, and installed (b) _____ Regenerator pressures meet Ordinance requirements (c) _____ 16e. RECORDING CHARTS: Batch pasteurizer charts comply with applicable Ordinance requirements (a) _____ HTST and HTST pasteurizer charts comply with applicable Ordinance requirements (b) _____ Aseptic charts comply with applicable Ordinance requirements (c) _____ 17. COOLING OF MILK AND MILK PRODUCTS: Raw milk maintained at 45°F (7°C) or less until processed or as provided for in the Ordinance (a) _____	

section of FDA Milk Plant Inspection Form above.) Government inspectors test milk for bacteria count and the presence of antibiotics, but they do not verify by tests or otherwise which species of animal produced the milk. Such determination can be made by testing fat or casein ratios of milk samples, but the government does not do this. Whereas in former times (and still today at a handful of dairy plants), it was common for dairies to have on-site farms, and government inspectors would thereby physically see the animals present, such is no longer the case. In light of the current situation, that government inspectors do not in any way test milk to determine the source animals, nor do the inspectors see the milking animals, their inspections would appear to be of no use to create a situation of *Annan Sahadei*! If so, on what do we base our heter of cholov stam in contemporary times?

Rabbi Eli Gersten offered one possible resolution of this issue. He pointed out that a careful reading of the *Igros Moshe* (ibid. *teshuvah* 49 and YD 3:17), clearly demonstrates that Reb Moshe held that since Chazal were *gozair* only upon the final point of possession of milk prior to its transfer to a Yisroel, the lack of meaningful verification at dairy plants is immaterial; so long as government inspectors visit the dairies and see that nothing is being added to the milk (and see no non-kosher species on-site!), the milk is permitted.

INSPECTION PROGRAM (FOR PART 2 PERMIT HOLDERS)	
Inspections	Frequency
Plant	
1. Routine	Every 90 days
2. 2 out of 4 high bacteria count	As needed to determine cause
3. 3 out of 5 high bacteria count	As needed to reinstate Permit
4. Category 3 as a result of routine	Within 30 days
Product Sampling	
1. SPC, Coliform, Drug Residue	Monthly
2. No. 1 plus Pathogens for Raw Milk Sales	At start-up and Monthly
3. 2 out of 4 high count	Recheck within 3 to 21 days
4. 3 out of 5 high count	Accelerated sampling 4 in 21
5. Chemical - Fat, Cryo., Total Solids	Monthly or Quarterly depending
6. QMPS Survey/Brucellosis Screen for Raw Milk Sales	
7. Tuberculosis Screen for Raw Milk Sales (Cows only)	At start-up

continued on next page

COFFEE

continued from page 13

Rabbi Belsky said that although one may not drink coffee socially at a non-Jew's home (see *Chachmas Adam*) there is no issue of drinking coffee in a store. Rabbi Schachter said that it is preferable that one wait to drink the coffee until one goes back to their car. He understood that the leniency of the Rambam was specifically on cider because it is not a common drink, but coffee today is as common as beer.

Rav Belsky said, in general there is no concern that the utensils that cooked the coffee were used with non-kosher. The coffee pot is usually rinsed out and reused, and is not sent through the dishwasher. Rabbi Schachter added that there would be reasons to be lenient even if the coffee pot was sent through the dishwasher.

Rabbi Schachter said that there is no issue of *marris ayin* for one to purchase coffee at a McDonalds or similar rest stop. Rav Belsky agreed that this was permitted, but indicated that in such a case one should not sit down at the restaurant tables, which would give the appearance that one was intending to eat a meal, but rather should sit at one of the public rest stop seats. As we mentioned earlier, Rav Schachter recommended waiting to drink the coffee until one returned to their car.

Rav Belsky and Rav Schachter paskened that it is permissible to purchase coffee at a rest stop or convenience store. Rav Schachter added that even if one ordinarily would be machmir about these issues, they should not do so if they feel they are getting tired. Driving when tired, in violation of *נפשכם* is much worse than drinking a cup of coffee which is *דין* מותר.

לפעמים משגיח נוסע ברכב שלו לשם השגחה וירא פן תחטפנו שינה בדרך ויסתכן, ובכדי להתעורר, רוצה הוא לשתות קאווע, אלא שאין אתו ברכב, ורוצה ליכנס לחנות בלתי-כשרה (מיק דאנעלד"ס, וכדומה) שעל הדרך, ולקנות קאווע משם.

(א) על פי פשוטו נראה שאין כאן בעיה של מראית עין (והייתם נקיים וגו') כי בידינו כבר ידוע הוא שהרבה בני אדם נכנסים לחניות שכאלו שלא על מנת לאכול ממאכליהם האסורים, אלא על מנת להשתמש בשרותים שמה, או על מנת לקנות קוקה-קולה וכדומה.

(ב) בנדון כשרות הקאווע, אף על פי שלפעמים יוצא הקאווע הכשר מאותו הסילון שיוצא הקאווע הבלתי-כשר, ויש בקאווע הכשר תערובת של משהו איסור, על פי פשוטו היה נראה לומר שאותו המשוה מתבטל בסמ"ך, ואין בזה משום ביטול איסור לכתחילה, שהרי אין כונתו לבטל, ואף בדברך כלל היינו מיעצים שלא לקנות קאווע היוצא מן הכלי שזכה, בשעת הצורך שזכה שיש קצת חשש סכנה, נראה שאין להחמיר.

(ג) ואף שיש מקום לערער על כשרות הקאווע - שלפעמים יקרה שישטפו את הכלי שבו מתבשל הקאווע ביחד עם כלים שיש עליהם פירורי מאכלות אסורות, ועל ידי כן תכנס הבליעה אל כלי ההיתר (של הקאווע), על פי רוב תמיד מכניסים דיטרנט אל תוך מכונת שטיפת הכלים באופן שזכה שתחילת בליעת האיסור אל כלי-בישול הקאווע יהיה בבחינת נותן טעם לפגם, ומותר.

(ד) אלא דבגמרא עבודה זרה (לא): איתא שאסרו לשתות שכר של עכו"ם במקום מכירתו, ולדעת כמה פוסקים אף כל המשקאות הקלות גם כן בכלל הק גזרה (עין יורה דעה ריש סימן ק"ד), על כן יש ליעצו לרב המשגיח שלא ישתנה הקאווע שמה - בחנות, אלא להוציאו לחוץ ולשתותו ברכב שלו, דבגמרא (שמה) הובאו ב' הנהגות של האמוראים - אם מספיק לשתותו אבבא דחנותא, או דמן הנכון להחמיר שלא לשתותו אלא בביתו, וכאן - בנידון דידן, לשתותו ברכב שלו הוא החומרא הכי גדולה שאפשר להצריך.

(ה) ועל פי פשוטו אינו נכון למשגיח להחמיר בזה ולנהוג במדת חסידות, ולהתרחק מן הכיעור ומן הדומה לכיעור, שהרי התורה צוהת ונשמרתם מאוד לנפשותיכם, וחמירא סכנתא מאיסורא, וחסידות בכהאי גוונא בודאי תחשב כחסידות של שטות.

צבי שכטר

ביסוד אני מסכים מן ה"יוצא לפועל" אבל מש"כ בסעי' ד' שכמה פוסקים אסרו משקאות קלות, נעלמה ממני דעה זו ולא שמעתי מעולם. גם מש"כ ששוטפים כלי הקאווע יחד עם כלי האוכל כדומה לי ששוטפים בנפרד ביד ולא במקונה ועוד מלבד זה ברוב מקומות מנוח (rest stops) ראיתי, מקום השולחנות אינם קשורים למסעדות אלא לה rest stops עצמם ואין בהם מראית עין או גזירת חנויות שלהם כי הוקבעו למנוח הצבור ומנותקים מהחנות

ישראל הלוי בעלסקי

CHOLOV STAM

continued from previous page

from which point the milk is "bo l'yad Yisroel" and retains its permissibility.

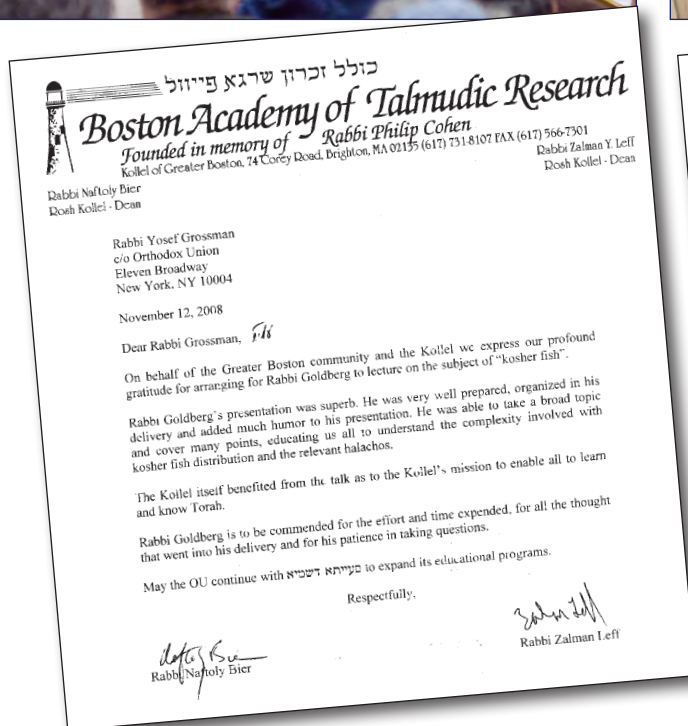
It should be noted that the above, newly-formulated position on cholov stam is actually the total reverse of Reb Moshe's heter: Reb Moshe was *mattir* cholov stam based on dairy plants being inspected by the government, and government inspection of farms was a non-issue due to the concept of "bo l'yad Yisroel". Now, in contra-distinction, government inspection of farms plays the central role, and dairy plant inspection is no longer central for the heter. It is also important to note that the new position does not rely on "bo l'yad Yisroel" and may appeal to those who were not comfortable using this rationale.

As evidenced by the above p'sak and research, the OU continues to pave the way in kashrus technical data and to service those who wish to rely on Rav Moshe's heter concerning cholov stam.

DEPARTMENT OF HEALTH AND HUMAN SERVICES FOOD AND DRUG ADMINISTRATION		DAIRY FARM INSPECTION REPORT	
Inspection of your dairy farm today showed violations existing in the Items checked below. You are further notified that this your permit if the violations noted are not in compliance at the time of the next inspection. (Refer to Sections 3 and 5 of			
COWS 1. Abnormal Milk: Cows secreting abnormal milk milked last or in separate equipment (a) Abnormal milk properly handled and disposed of (b) Proper care of abnormal milk handling equipment (c)		Cleaning Facilities: Two-compartment wash and rinse vat of adequate size (a) Suitable water heating facilities (b) Water under pressure piped to milkhouse (c)	
MILKING BARN, STABLE, OR PARLOR 2. Construction: Floors, gutters, and feed troughs of concrete or equally impervious materials; in good repair (a) Walls and ceilings smooth, painted or finished adequately; in good repair; ceiling dust-tight (b) Separate stalls or pens for horses, calves, and bulls; no overcrowding (c) Adequate natural and/or artificial light; well distributed (d) Properly ventilated (e)		6. Cleanliness: Floors, walls, windows, tables and similar non-product contact surfaces clean (a) No trash, unnecessary articles, animals or fowl (b)	
3. Cleanliness: Clean and free of litter (a) No swine or fowl (b)		TOILET AND WATER SUPPLY 7. Toilet: Provided; conveniently located (a) Constructed and operated according to Ordinance (b) No evidence of human wastes about premises (c) Toilet room in compliance with Ordinance (d)	
4. Cowyard: Graded to drain; no pooled water or wastes (a) Cowyard clean; cattle housing areas and manure packs properly maintained (b) No swine (c) Manure stored inaccessible to cows (d)		8. Water Supply: Constructed and operated according to Ordinance (a) Complies with bacteriological standards (b) No connection between safe and unsafe supplies; no improper submerged inlets (c)	
		UTENSILS AND EQUIPMENT 9. Construction: Smooth, impervious, nonabsorbent, safe materials; easily cleanable (a)	

ASK OUTREACH PRESENTERS RECEIVE RAVE REVIEWS

The Daf takes this opportunity to thank both Rabbi Chaim Goldberg and Rabbi Chaim Loike for the excellent Kashruth Shiurim they gave at the Kollel of Greater Boston and Beis Medrash L'Talmud-Lander College for Men respectively. We print below correspondence received from the Roshei HaKollel of the Boston Kollel regarding Rabbi Goldberg's presentation on "Exsalmonation" of Fish Issues as well as from Josh Sturm, a chaver HaKollel at Beis Medrash L'Talmud, who helped organize Rabbi Loike's Shiur there on *Kosher Birds and Eggs*. The letters both show a great appreciation for the outstanding Shiurim presented.



Dear Rabbi Grossman,

I asked around and the consensus was unanimous. Everyone loved the program. They felt that Rabbi Loike was phenomenal. A very good presenter who mixes in his stories very well to deliver his point. The hands on demonstration was also well received. Many felt it was unfortunate we had only allotted the one hour as they felt there was so much more. Along those lines some have requested for Rabbi Loike to come back at some point and maybe present some other topics that were in the booklet such as the kashrus of eggs. Thank you again for all your efforts.

Kol tuv,
 Josh Sturm

IMPORTANT NOTIFICATION

As mashgichim know, the OU does not permit steam (or hot water) that has been used to heat non-kosher product to also heat kosher product. When facilities under the OU do have this practice, a *davar hapogem* is used to render the steam foul.

Even if a company's steam system has been tasted in the past and found to be *pagum*, it is incumbent on the RC/RFR to **periodically** take samples of the condensate (typically the best place is the condensate collection tank). Chemical treatments may change over time. Just because the condensate was once found to be *pagum*, it may no longer be.

What is the *shiur* of "periodically"? That may depend on the facility, but at least twice a year is a reasonable number of times to take samples.

For those who would like more information on steam systems there are many lucid, helpful documents in the OU system. Please contact Rabbi Eli Gersten or Rabbi Gavriel Price for assistance.

REMEMBRANCE OF THE MUMBAI KEDOSHIM

BY STEPHEN STEINER
Director - OU Public Relations

Rabbi Mordechai Grunberg, a rabbinic field representative for OU Kosher, who covers Asia for the OU, knew both Ben Zion Chroman and

Rabbi Leibish Teitelbaum, who were murdered in the Mumbai massacre. He has prepared the following remembrance of the kedoshim.

I had the opportunity to meet **Ben Zion Chroman** many times in Beijing on *Shabbos* during the past two years. I always will remember his intense concentration and *kavana* in his *tefillah*, especially *Shmoneh Esrei*. At the *Shabbos* meals he just loved to sing the Carlebach *niggunim*. His favorite melody was “*Kol haolam kulo gesher tzar me’od, ve-ha-ikar lo lefached klal*,” meaning “This world is just but a narrow bridge and there is nothing to fear.” He would start singing in a very low melodious voice, which would get louder and stronger as he repeated those words with such emotion from the depth of his *neshama*, getting all present at the table to join in with him.

It was apparent to me that he loved all Jews even though he was a *Bobover chassid* with a *streimel*. **Rabbi Teitelbaum**, who used to sit opposite him at the *Shabbos* table, would be enthralled by his *chaver’s* sweet voice and join in as well with all the *niggunim*. It so happens that I grew up in Far Rockaway, NY, where I *davened* in *Kehilas Yaakov* by the *Sulitzer Rebbe*, the grandfather of Rabbi Teitelbaum, and where my parents still *daven*. I am sure that both *kedoshim* gave their lives while singing “*ve-ha-ikar lo le-fached klal*.”

Hashem yinakem damam...

MAZAL TOV TO ...

our dedicated RFR in California **RABBI ZALMAN THALER AND HIS WIFE** on the birth of their daughter Adina Tzirrel.

our devoted RFR in Cleveland, OH **RABBI MORDECHAI TEREN AND HIS WIFE** on the engagement of their son Matis to Shaindy Treff of Lakewood, NJ.

our dedicated Business Manager **RABBI HOWARD KATZENSTEIN AND HIS WIFE** on the Bar Mitzvah of their son Yisroel Meir.

our devoted RFR **RABBI MOSHE PERLMUTTER AND HIS WIFE** on the engagement of their daughter Leah to Dovid Grossman from Queens, NY, son of Elaine (OU Development Dept.) and Rabbi Dr. Lawrence Grossman. This may be the first ASK OU shidduch, since Dovid served as an ASK OU intern this summer hearing Kashruth shiurim from his future father-in-law Reb Moshe.

our dedicated Rabbinic Coordinator **RABBI DONNEAL EPSTEIN AND HIS WIFE** on the Bar Mitzvah of their twin sons Avrohom Reuven and Shmuel Dovid.

our dedicated RFR in St. Louis, MO **RABBI YOSEPH FLORANS AND HIS WIFE** on the engagement of their son Eliezer Yehudah to Bracha Wein of Monsey, NY. The kallah is the granddaughter of Rabbi Berel Wein former Rabbinic Administrator of OU Kashrus.

DAF NOTES: The following is reprinted from *KosherToday* and *Yeshiva World*

SHOCK IN KASHRUS WORLD

Concerns Over Security Mount Following Mumbai Murders

The brutal murder of two kashrus officials in Mumbai, India by Islamic terrorists has sent shockwaves throughout the kashrus world. Rabbi Aryeh Leibish Teitelbaum, 37, and Rabbi Bentzion Chroman were in the Chabad House where four other Jews were executed, including its rabbi, Gavriel Noach Holtzberg (29) and his wife Rivka (28). The two were on a mission to inspect a mushroom plant that was doing a production run for Gefen but lost their lives when they stopped at the Chabad House for evening Mincha and Maariv services.

Rabbi Teitelbaum is the son of Rabbi Nachum Ephraim Teitlebaum (Volover Rav), a highly respected authority on kashrus who certifies the plant along with the Orthodox Union (OU).

KosherToday has learned that Israeli security officials are taking a fresh look at the security of places where Jews congregate around the world.

Rabbi Chroman had survived a devastating earthquake in China and is the latest example of the peril faced by mashgichim who certify products and plants in over 75 countries. An Orthodox Union mashgiach was lost several years ago in a crash of a small plane.

The big surge of international certification took place in the early '90s when the demand for kosher ingredients in the U.S. soared, but kashrus officials say that they have generally refrained from sending mashgichim into countries they do not consider safe. An estimated 250,000 ingredient items at a value of \$350 billion are said to be certified kosher.

Kashrus officials say that they will review the security of some of the mashgichim who crisscross the globe to supervise plants. One rabbi told KosherToday that he would demand increased security from plant managers including arranging safe passage for mashgichim, but while it can work on an initial inspection, it is problematic in unannounced inspections.

The kashrus world was in mourning over the loss of the two highly respected young kashrus rabbis, who left young widows and a large number of orphans behind. Although he functioned as the head of the Chabad house, Rabbi Holtzberg was also involved in kashrus supervision on behalf of the OK Kosher Certification. A large number of Chabad emissaries around the world are also involved in kosher supervision.

CONDOLENCES TO...

the entire **BAUMGARTEN FAMILY** on the loss of Rabbi Yosef Baumgarten Z"l. Rabbi Baumgarten O'H was the son-in-law of Rabbi Alexander Rosenberg Z"l, the first OU Rabbinic Administrator. Rabbi Baumgarten was the Rabbi Emeritus of Cong. Bnai Jacob Shaarei Zion in Baltimore and was the OU's RFR at a number of companies in the Baltimore area for over 40 years.

המקום ינחם אתכם בתוך שאר אבלי ציון וירושלים

WHOLE BAKERS GLUTEN FREE COOKIES (all varieties) produced by PacMoore Products, Inc. – Hammond, IN contain dairy ingredients as listed on the ingredient panel but the ©D dairy designation has been inadvertently omitted. Future packaging will be revised.

WHITE ROSE CANNED CHOPPED SPINACH UPC #074807448181 produced by White Food – Carteret, NJ bears an unauthorized © symbol and is not kosher certified by the Orthodox Union. Corrective action is being taken. Consumers spotting this product are requested to contact the Orthodox Union at 212-613-8241 or via email at kshalerts@ou.org.

JELLY BELLY “CLASSIC CANDIES” assortment (15.1 oz) UPC #071567984782 produced by Jelly Belly Candy Company – Fairfield, CA contains dairy ingredients as listed on the ingredient panel but the ©D dairy designation has been inadvertently omitted. Future packaging is being revised.

BREADS FROM ANNA BREAD MIX produced by Breads from Anna/Gluten Evolution contains dairy ingredients as listed on the ingredient panel but the ©D dairy designation has been inadvertently omitted. Future packaging will be revised.

MAPLE GROVE FARMS OF VERMONT CRANBERRY BALSAMIC DRESSING, 8 oz UPC 074683004525 produced by Maple Grove Farms of Vermont – St. Johnsbury, VT bears an unauthorized © symbol and is not certified Kosher by the Orthodox Union. Corrective action is being taken. Consumers spotting this product are requested to contact the Orthodox Union at 212-613-8241 or via email at kshalerts@ou.org.

Effective November 11, 2008, **SUBWAY RESTAURANT**, located at 28 Water Street, New York, NY, will no longer be © certified Kosher.

LUPITA QUESO PANELA MEXICAN STYLE FARMER'S CHEESE UPC 819753000492 produced by Leblon Foods, Inc. – Cazenovia, NY bears an unauthorized © symbol and is not certified Kosher by the Orthodox Union. Corrective action is being taken. Consumers spotting this product are requested to contact the Orthodox Union at 212-613-8241 or via email at kshalerts@ou.org.

APPLE & EVE WHITE GRAPE JUICE (drink box) UPC 7630184001 produced by Apple & Eve – Port Washington, NY bears an unauthorized © symbol and is not certified Kosher by the Orthodox Union. Product is being withdrawn from the marketplace. Consumers spotting this product are requested to contact the Orthodox Union at 212-613-8241 or via email at kshalerts@ou.org.

BRAINSAVERS FRUIT AND NUT BAR-CHOCOLATE COATED UPC 094922965974 produced by BrainSavers – Scottsdale, AZ contains dairy ingredients as listed on the ingredient panel but the ©D dairy designation has been inadvertently omitted. Future packaging will no longer bear the © symbol.

BLACK BEAR OF THE BLACK FOREST HOAGIE DRESSING UPC 630003917120 produced by Black Bear Enterprise, Inc. – Cherry Hill, NJ bears an unauthorized © symbol and is not certified kosher by the Orthodox Union. The product is being withdrawn from the marketplace. Consumers spotting this product are requested to contact the Orthodox Union at 212-613-8241 or via email at kshalerts@ou.org.

AISH M'AISH – BISHUL YISROEL

RABBI ELI GERSTEN
RC Recorder of OU Psak and Policy

In many companies the method for dealing with the issue of bishul akum is to have the mashgiach light the pilot light of the boiler. This is based on the ruling of the Rama (Y.D. 113:7) that if a non-Jew lit his fire from a fire that was lit by a Yisroel, then the food cooked with that fire would not be subject to the issur of bishul akum.

Although the Minchas Yaakov (75:41) holds that one can rely on this leniency even lichatchila, most poskim (Chachmas Adam 66:8, Aruch Hashulchan 113:44) point out that the leniency of the Rama is only bidieved at best. Lichatchila, one may not allow a non-Jew to cook one's food with such a fire. If so, how do we rely on having the mashgiach light the pilot lights of boilers in non-Jewish companies?

It is important to keep in mind two other sevaros discussed by poskim.

The Maharit Tzalon (161) says that although Chazal initially forbade pas paltar, they never forbade bishul of a paltar. Only bread which is the staple of the meal can lead to intermarriage even when baked by workers for the purpose of selling. Other items, although they may be oleh al shulchan melachim, are not forbidden when cooked for the purpose of selling.

Rav Moshe Feinstein Zt"l held that items cooked in factories in a manner that is different from the way that one cooks in one's home are not subject to the issur of bishul akum.

Although we do not rely on these sevaros by themselves, we are mitztareif them in conjunction with other sevaros.

For example, we permit steamed tuna fish without bishul Yisroel. Although there is a disagreement as to whether steaming is exempt from the prohibition of bishul akum, we are lenient b'tzrif the above two sevaros (The Maharit Tzalon and Rav Moshe). Similarly, perhaps we can rely on pilot lights in conjunction with the above sevaros.

Rabbi Belsky said that we may be lenient to allow the use of pilot lights in companies; however, the mashgiach should relight the boiler whenever he visits the plant. Since many poskim hold that the heter of pilot lights is only bidieved, when there is a mashgiach available to light the fire, we should not rely on a bidieved. In restaurants since there is a mashgiach temidi available to light the fires, we do not rely on the heter of aish m'aish.

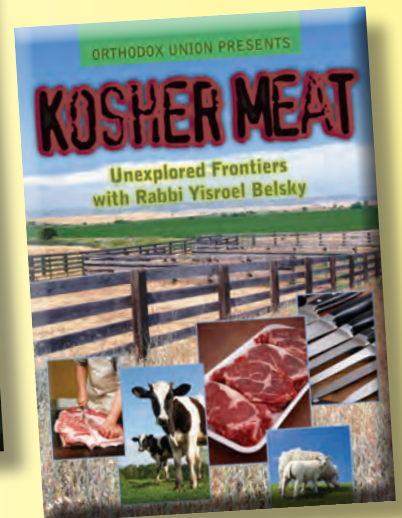
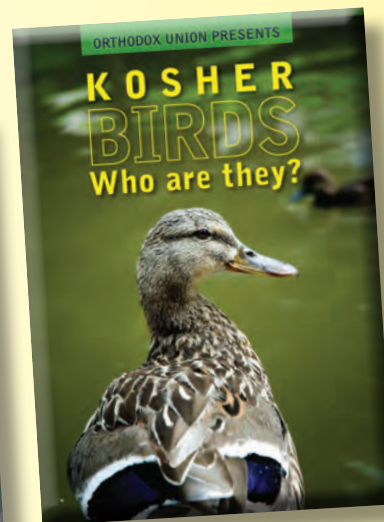
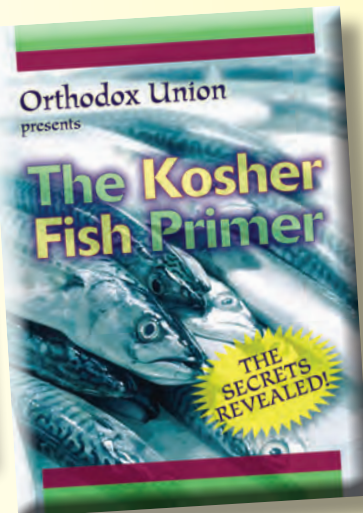
In summary:

- Although we are lenient to allow the use of pilot lights in factories to remove the issur of bishul akum, the boilers should be relit every time the mashgiach visits the factory.
- In restaurants we do not rely on this leniency

צאתכם שלום ובואכם לשלום...

We welcome **RABBI DOVID IRONS** who will be joining our Trademark Compliance staff. He will be replacing our dedicated Rabbi Baruch Cywiak who will be leaving to Mikvah USA in mid December. We wish them both much hatzlacha.

*These DVD's are rated **OU***



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DECEMBER 6 – 8:30

**Eating Out – What Could be the Problem?!
– Restaurants, Shabbos, Catered Affair**

Rabbi Dov Schreier

DECEMBER 6 – 9:30

**Kosher Birds & Eggs
Live Demo & Viewing**

Rabbi Chaim Loike

DECEMBER 13 – 8:30

**Kashering – Techniques and Tools
of the Trade – a Visual Presentation**

Rabbi Moshe Perlmutter

DECEMBER 13 – 9:30

**The Dairy Industry – Consumer
and Industrial issues**

Rabbi Avrohom Gordimer

JANUARY 10 – 8:30

**Kosher Wine and Grape Juice Production
with Visual Aids**

Rabbi Nachum Rabinowitz and Rabbi Yony Kantor

JANUARY 10 – 9:30

בדיקת תולעים A Live Visual Demonstration

Rabbi Yosef Eisen

JANUARY 17 – 8:30

**Shmaltz is Us – Oils, Salad Dressings
and Related Products**

Rabbi Yoel Schonfeld

JANUARY 17 – 9:30

How to be an Excellent Mashgiach

Rabbi Yaakov Luban



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