
The word *Kosher*, which means *fit* or *proper*, has become part of the American lexicon. Yet the laws of *Kosher* and their application in a modern industrial setting are often misunderstood.

Kosher has nothing to do with a Rabbi blessing food, but rather that the ingredients and the procedures are in accordance with kosher law. The laws of kosher are to be found in the Bible (*Leviticus*) and the subsequent interpretive text of Jewish law. Kosher food production is complex and interesting for it represents the nexus of Jewish law, food production, and economics. Kosher is additionally complex because of the counterpoint between ancient Torah law and modern food technology; between the esoteric and the mundane; between holy writ and commerce.

Kosher Food Production by Rabbi Zushe Blech represents an important contribution to making *Kashrus* understandable to the contemporary reader. Rabbi Zushe Blech is superbly qualified for this task, for he is deeply grounded in the intricacies of Jewish law and the complexities of modern food production. The clarity of his writing reflects his total grasp of the subject in both its theoretical and practical aspects.

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Kosher law is ultimately the application of a system of religious precepts and beliefs as they govern the types of foods that people of the Jewish faith may eat. This system is based upon a number of verses throughout the Bible,¹ Rabbinic Biblical exegesis and ordinances as presented in the *Talmud*², and the writings and decisions of Rabbinic authorities that continue to this day. The body of such law is prodigious in size and complex in its analysis, and its application is the purview of those who have been trained extensively in its mastery. It is, above all, an internally consistent logical system that can be applied to new situations and technologies. Jewish law can be divided into three types of rules: Biblical law (*d'Oryssa*), Rabbinic law (*d'Rabanan*), and customs (*Minhag*). Together, the three form the body of Jewish law known as *Halacha*—literally, “the path”—the laws and regulations that govern all aspects of the life of an observant Jew.³

¹ Primarily in the first five books of the Bible, known as the *Torah* (also referred to as the Written Law).

² The written record of the Oral Law as redacted in the fifth century of the Common Era.

³ The Jewish community is comprised of many groups, each espousing different approaches to the acceptance of the primacy of *Halacha*. Orthodox Jewry, by definition, accepts the paramount position of *Halacha* in all aspects of life, which includes establishing and maintaining Kosher standards. Although other groups may approach Kosher issues in their own context, in practice, commercial Kosher certification is virtually always governed by standards accepted by Orthodox Rabbinic authorities. (Some Conservative Rabbis do provide certification, mainly on finished products, and the Conservative movement has its own set of Kosher standards. Nevertheless, Kosher certification programs maintained by the industry virtually always follow Orthodox standards, and Orthodox Kosher supervision agencies generally do not accept products certified under such aegis.)

For more than three thousand years, the Jewish people have followed a unique system of dietary laws, whether at home or away. Although the rules of *Kashrus* may be ancient, they are also timeless. For one who adheres to traditional Jewish law, the requirements of *Kashrus* apply to all foods. In all cases, their acceptability to the Kosher consumer is dependent upon conformance to the same Kosher regulations.

Historically, the preparation of Kosher food had been limited to a few, relatively small firms that served their niche Kosher market. During the past sixty years, however, the production of Kosher foods has been taken on by the major food manufacturers, and Kosher requirements and considerations have therefore been thrust upon the general food industry. This new reality presents the food technologist with a fresh challenge. In addition to mastering the intricacies of food safety, quality control, and production efficiencies, a food technologist is also called upon to deal with Kosher laws, a field with which he or she may be completely unfamiliar.

To complicate matters, although the basic concepts of *Kashrus* may be settled law, their application to modern food production may raise new issues. Even “asking the Rabbi” is not so simple; technology may have created situations that require new assessments of *Kashrus* laws in ways that had never been previously addressed. The food technologist should not feel alone in attempts to deal with *Kashrus* issues. The Rabbinis charged with implementing Kosher law in the context of modern food technology may be equally challenged, although they approach this challenge from the other side of the equation. Their training is rooted in basic Kosher law and its application to technology that remained relatively static for thousands of years. The incredible changes in food technology wrought over the past century have created new challenges, and critical to their ability to deal with these challenges is the ability to understand the new technology.

Before delving into the details of Kosher food production, the relation between *Halacha* and *Kashrus* must be made clear. The determination of the Kosher status of a food is based upon the strict application of specific religious criteria according to *Halacha*. “Kosher Style,” on the other hand, is a marketing term, often referring to a particular type of cuisine or a cursory application of Kosher law, and products so designated should not be assumed to comply with Kosher laws or considered “Kosher.”

Further, although delving into the intricacies of *Halachic* analysis and resolution is well beyond the scope of this work, reference in *Kashrus* literature is often made to the *Shulchan Aruch*,⁴ the seminal

⁴ Literally, “The Prepared Table,” in which the entire breadth of *Halachic* requirements in all areas were organized clearly and methodically.

work of the sixteenth-century *Halachic* authority Rabbi Yosef Karo. This work, along with subsequent commentaries and Rabbinic *responsa*, serves as the basic codification of all *Halacha*, and the terms *Shulchan Aruch* and *Halacha* are often used interchangeably. Most *Halacha* dealing with Kosher issues is contained in the section of the *Shulchan Aruch* known as *Yo'reh De'ah*,⁵ and these two names have crept into the text and even into the requirements of secular “Kosher Laws” in various states.⁶

Also important to note is that *Halacha*, and its application to specific situations, has been analyzed and interpreted for thousands of years. *Halachic* rulings based upon these analyses have been recorded in literally thousands of Rabbinic works, often in the form of *responsa*—responses to questions concerning the application of *Halacha* to specific circumstances. Although alternative views are often proposed, they are united by their acceptance of the primacy of *Halacha* and its basic concepts. The challenge of applying *Halacha* in the context of modern circumstances (such as modern food processing systems) requires the acumen to extrapolate existing *Halachic* rulings for use in new situations. In the case of the food industry, many of the administrators of Kosher certification programs are well versed in the intricacies of modern food technology as well as *Halacha*, and have the skill to address the needs of both. In addition, most Kosher certifying agencies have made arrangements to refer question of *Halachic* import to highly respected independent Rabbinic authorities to ensure an unbiased determination of *Halachic* standards.

Differing customs may prevail and different rulings are often made by the different Rabbinic authorities, but these distinctions are usually minor in scope. However, of significance to Kosher food laws is the fact that, over time, *Halacha* has developed in two parallel and equally valid traditions, based upon the areas where the various Jewish communities had lived. The Jewish communities in most of Europe, known as *Ashkenazim*,⁷ followed the opinions and customs of its authorities; communities in the

⁵ Literally, “The Teaching of Knowledge,” based upon *Isaiah* 28:9.

⁶ Most prominent among these state laws was the Kosher enforcement statute of New York State, which specifically called for enforcement of Kosher standards that met “Orthodox Hebrew Requirements.” Other states actually refer to Kosher as codified in the *Shulchan Aruch*. This linkage, however, was recently (2003) rejected by the U.S. Supreme Court as an unconstitutional entanglement between church and state, and the New York statute has thus been overturned. Statutes in other states, notably New Jersey, have been drafted to avoid this constitutional defect.

⁷ Based upon the name of the nation mentioned in *Jeremiah* 51:27, generally accepted as the Hebrew word for Germany.

Mediterranean area, known as *S'phardim*,⁸ follow the opinions and customs of their own leaders.⁹ The relatively minor differences in the application of *Halacha* between *S'phardim* and *Ashkenazim* are noted in the text and articles when they are significant to practical *Kashrus* issues. Also significant is that *Ashkenazic* customs serve as the basis for most *Kashrus* decisions in North America. In Israel, an *Ashkenazic* and *S'phardic* Chief Rabbi each sets standards for his respective communities according to their respective customs.

From a linguistic perspective, although the term “Kosher”¹⁰ is often understood in terms of conformance with Jewish dietary laws, the word actually means “fit” or “appropriate” and is technically unrelated to any rules governing types of food that are permitted. The word “Kosher” appears only once in the Bible (*Esther* 8:8), and then only with respect to the appropriateness of a royal pleading. Indeed, this broad interpretation has been co-opted into the English language, in which it is taken as a synonym for something genuine and proper. These technical discussions of the word “Kosher” notwithstanding, the common use of the term is generally associated with the type of food permitted according to Jewish dietary regulations and is used as such throughout this book.¹¹

One final linguistic observation should be noted. In discussing Kosher issues, one must recognize that the English language is but a shaky vehicle through which to present the terminologies and express

⁸ Based upon the name of a nation mentioned in *Obadiah* 1:20, generally accepted as the Hebrew word for Spain.

⁹ The codifications of the *Shulchan Aruch* (“The Prepared Table”) follow *S'phardic* opinions and customs. *Ashkenazic* norms are reflected in the glosses to the *Shulchan Aruch* written by Rabbi Moshe Isserles, who named his work the *Map-pah* (*The Tablecloth*), the embellishment reflecting European customs. The *Shulchan Aruch* is invariably printed containing both works.

¹⁰ Technically, the proper transliteration of the term is *Kasher* (accent on the second syllable). Common English usage, however, is based upon a Yiddish corruption of the Hebrew, whose pronunciation more closely approximates the English Kosher. Modern English usage has also caused this word to assume a verb form, with the term “Kosherize” referring to the process of purifying equipment to make it usable for Kosher food production. (The proper Hebrew form for this word would be based upon the *Hiph'il* [causative] grammatical construction of the verb root, *l'Hachshbir*.)

¹¹ Interestingly, the commonly used term for non-Kosher, *T'reif*, is similarly less than precise. Technically, the word *T'reifah* refers to an animal that exhibits certain diseases or abnormalities that render it non-Kosher (see Chapter 12, “The Meat and Poultry Industries,” and “The Story of Kosher Meat” in Chapter 15 for a more detailed explanation of this concept). The term has no technical relevance to any other non-Kosher situation. Nonetheless, the term *T'reif* in common parlance is nominally applied to all non-Kosher products (or equipment) regardless of basis of its non-Kosher status.

the nuances of the original Hebrew in which *Halacha* is traditionally discussed.¹² Great effort, however, has been expended to explain and clarify the issues discussed. Still, many terms have no accurate, let alone succinct, translation; the most useful means of dealing with them is to identify, transliterate, and explain them—and then use them in transliterated form. Such an approach raises a significant technical hurdle, however, because there are marked differences between the *Ashkenazic* and *S'phardic* pronunciation of many Hebrew words.¹³ Although the pronunciation of modern Hebrew follows the *S'phardic* model, the author has chosen to follow the *Ashkenazic* pronunciation that has traditionally predominated in Europe and North America. (Transliteration of Hebrew terms is based upon English consonant and vowel structure, which provides a reasonably sufficient repertoire with which to convey Hebrew articulation. The pronunciation of one particular Hebrew consonant form, however, has no close parallel in the English language. This sound is represented by “ch”¹⁴, and approximates the *-ch* in German words such as *Bach* and *brauchen*, or the Scottish *loch*.)

In the final analysis, the issues relating to the production of Kosher food pose unique challenges to the food-processing industry. Kosher law is ultimately a set of religious regulations, and companies that choose to produce Kosher products must be prepared to meet all the processing and ingredient requirements that determine a food's Kosher status. A Kosher certification program is a partnership between the manufacturer and the Kosher certifier, and its successful implementation requires a commitment by both to understand Kosher requirements and the methods by which they may be applied to modern food processing systems.

¹² A glossary of common *Halachic* and *Kashrus* terminology may be found at the end of this book.

¹³ The most prominent difference is in the pronunciation of the soft form of the last letter of the Hebrew alphabet (known as *Tes* [*Ashkenazic*] or *Tet* [*S'phardic*]). As can be noted by the pronunciation of the last consonant of the name of the letter itself, the soft form of this letter is rendered as an “s” by *Ashkenazim* and a “t” by *S'phardim*.

¹⁴ In common Hebrew usage, the eighth letter (*Ches*) and the soft form of the eleventh (*Chof*) share this sound. The pronunciation of the letter *Ches* technically differs from the *Chof*, with the *Ches* somewhat closer to the English “h” (as in *hard*)—hence the common English spelling of the holiday of *Hanukah*. For purposes of this work, however, both consonants are rendered as “ch,” as in *Chanukah*.

Researchers of food-marketing trends have noted that Kosher-certified foods have become increasingly ubiquitous. According to some accounts, more than 40 percent of the foods sold in mainstream retail outlets bear some type of formal Kosher certification, and many consumers consider a product's Kosher status to be a significant factor in their purchasing decisions. In North America, many food manufacturers consider a Kosher status for their products to be a critical part of their marketing strategy and invest significant resources and effort in managing the Kosher certification programs required to maintain such a status.

Interest in Kosher certification is not limited to food manufacturers who produce consumer products, however. Although Kosher regulations are based upon religious precepts, their application is (in most cases) unrelated to any "blessings" or other sacramental procedures. With important exceptions duly noted, the Kosher status of a product is but a direct function of the Kosher status of the ingredients used in its manufacture, as well as the equipment on which they are produced. As such, the Kosher status for ingredients used as raw materials is often made a condition of purchase because, without such a status, the manufacturer of the finished food product is unable to produce a Kosher product.

To ensure that a product does indeed meet Kosher requirements, most manufacturers of Kosher products enlist the services of individuals

or organizations to certify the Kosher status of their products. Such Kosher certification services have expertise in both Kosher law (*Halacha*) and the food industry, and work with the manufacturer to develop a Kosher certification program that allows for maintaining the Kosher status of the products in the context of the company's manufacturing system.

Although the decision to produce a Kosher product may be driven by the company's marketing division, a successful Kosher certification program requires its integration into many aspects of a company's operations. The purchasing division must be aware of Kosher requirements for the raw materials it orders, and the raw material receiving section must ensure that appropriate raw materials are received. Manufacturing must be aware of requirements attendant to the processing of the product, and marketing must be aware of packaging and labeling requirements that are part of the Kosher program. A successful Kosher certification program must therefore take a holistic approach to its implementation.

In the many years during which I have been involved in the food industry, I have often noted a significant lack of understanding of *Kashrus* and Kosher certification programs, even among those in the food industry who are involved in their implementation. When explanations of *Kashrus* are provided, however, I have invariably found people eager to understand and forgiving in their acceptance of those concepts considered a matter of religion. What has always been respected and appreciated is the logical presentation of the concepts of *Kashrus* and their application, however immutable they may be. Clearly, food technologists and manufacturers are not expected to be experts in the field of *Kashrus*. Indeed, the success of a Kosher certification program is ultimately based upon the Rabbinic authority that establishes the standards, ensures their implementation, and vouches for the *Kashrus* of the certified product. Nonetheless, the greater the understanding of Kosher requirements on the part of the manufacturer charged with following such regulations, the more smoothly and reliably such a program invariably functions.

This book is designed to provide food manufacturers with a broad understanding of all the factors relating to Kosher certification. In doing so, it deals with the conceptual aspects of *Kashrus*, as well as the practical applications and ramifications of a Kosher certification program. The book is structured in two broad sections. The first serves as an explanation of the concept of Kosher law and the mechanisms by which Kosher certification may be granted and administered. Recognizing that some the customs and requirements of Kosher certification, and

the Rabbis who implement them, are atypical to the norms of the food industry, I have included a chapter outlining and explaining the basis for many of these diverse customs and rules. I have also included a somewhat detailed explanation of the basic *Halachic* (relating to Jewish law) underpinnings of rules that govern the Kosher status of foods. Additional chapters deal with Kosher issues relating to specific industries, as well as those relating to Kosher for Passover certification.

Each chapter is designed to stand on its own, allowing the reader to choose those subjects of interest. Such a structure, however, creates a quandary in that many *Kashrus* concepts straddle more than one chapter or discipline. Incessant cross-referencing detracts from the readability of the material, whereas wholesale repetition is awkward. I have therefore attempted to reference issues covered in other sections when they are not critical to the subject matter at hand, and have repeated those that are intrinsic to the subject matter in any given chapter. For those wishing to read the entire work, I beg forgiveness for the duplication.

In dealing with any subject matter with which the reader may be unfamiliar, an author must balance the need to provide a clear and uncluttered overview of the material with the responsibility to be as accurate and comprehensive as possible. To avoid overburdening the reader with technical details not critical to the application of the points and concepts discussed, issues are discussed in the body of the text in detail sufficient to ensure a practical understanding of the material. More detailed discussion and background, however, is provided in the footnotes.

When discussing the purpose and focus of this book, however, a critical point is to make clear what the book emphatically is not. It is not a do-it-yourself Kosher certification manual, a scholarly treatise, or an arbiter of *Halacha* and *Kashrus* policies. The laws of Kosher food are immensely detailed and fill hundreds of volumes; they can be properly applied only after years of study of their intricacies. Rather, the Halachic points discussed are intended to provide the reader with a framework by which to understand the decisions and applications of Kosher law that govern a Kosher certification program.

The second section of the book is a collection of essays concerning Kosher food issues. They originally were printed in various publications, ranging from those geared to Rabbinic *Kashrus* professionals to the lay Jewish public and the food technologist. They are therefore written in several styles and levels of detail, spanning the disciplines of food science, history, *Kashrus*, and other aspects of *Halacha*. Their purpose was to interest the reader in understanding both food science and

Kashrus, and it is my hope that they will similarly serve as a useful adjunct to the readers of this work. These articles provide an insight into the world of food science through the eyes of Jewish law, and may thus help the reader—whether the Kosher consumer, food technologist, or student of *Halacha*—gain an understanding of the considerations on which Kosher certification is based in the context of modern food production. It is my hope and prayer that this book will do justice to all of these audiences.



Accuracy involving *Kashrus* is critical, and food technology and its resulting *Halachic* applications are constantly changing. Although details relating to the *Kashrus* of ingredients and processes discussed in this work are accurate as of the date of publication, readers may access the book's Web site (kosherfoodproduction.com) for updated information. In addition, the site may be used to send questions to the author, as well as to view new articles written subsequent to the book's publication.