

# THE Daf HaKASHRUS



A MONTHLY NEWSLETTER FOR THE OU RABBINIC FIELD REPRESENTATIVE

## SUSHI AND BISHUL AKUM

**RABBI ELI GERSTEN**
*RC Recorder of OU Psak and Policy*
**THE GEMARA** and *Shulchan Aruch* say that large fish, including

tuna, require *bishul yisroel*, because they are not eaten raw and are served on *Shulchan melachim*. Today, it is common to serve raw tuna in the form of sushi. Does this change the halachah? Would it be correct to assume that tuna no longer requires *bishul yisroel*, because sushi is so commonly eaten?



Rav Schachter and Rav Belsky answered that we should not consider tuna, a food that is edible raw, and thereby permit tuna cooked by a non-Jew, just because people commonly eat sushi. We find that the *Magen Avrohom* (O.C. 203:4) says that ginger is considered edible raw, since it is

eaten raw when mixed with sugar. In this example, the clear intention is to eat ginger, and the sugar is simply added as an enhancement. However, in the case of sushi, one cannot say that the intention is to eat fish, and the other ingredients are merely added to enhance the fish, but rather people who eat sushi are interested in all the components, such as the rice, avocado and vegetables which are also the majority. Some varieties of sushi do not even contain fish. Although fish is an important ingredient in sushi, it is not of the same importance as the ginger when mixed with sugar. "Nechal Chai" is only said when the intention is to eat the food item raw, and not when it

is only eaten raw as a component of another food. Although some people eat sashimi, which is plain raw fish, most people still do not.

בנדון בעיית בשול-עכו"ם בדג הטונא, כבר כתבנו בחוברת מסורה, והובאו הדברים בספרי גנת אגוז (ס' ט"ז). ובשלשים שנה האחרונות נתחדש מנהג אכילת הסושי בכל רחבי אמריקא ואף בא"י וכמעט בכל העולם כולו, ויש שטוענים שכעת הטונא אין בו בכלל בעיית בשול-עכו"ם, שהרי הוא נאכל כמות שהוא חי במאכל הסושי.

ונראה לומר שזה לא כ"כ פשוט שזה נקרא נאכל כמות שהוא חי, שהרי אין אוכלים את חתיכת הדג בפנ"ע אלא בצירוף עם האורז ושאר הירקות, ואחוז הדג שבחתיכת הסושי הוא פחות מחמישים אחוז, והרבה אוכלים מין סושי שאין בו חתיכת דג בכלל, ועל כן, קשה לקבוע שהדג הוא העיקר בסושי, וע"פ פשוטו – דינו כטפל, ומן הנכון לברך מזונות, בזמן שהאורז הוא הרוב (אשר ממילא – לגבי ברכת הנהנין) דינו כעיקר.

ויש מקום לומר שרק מקילים בנאכל כמות שהוא חי כשנאכל בתורת עצמו, ולא כשנאכל בתורת טפל.

ואף שיש שאוכלים את הדג בפני עצמו בלי האורז ושאר הירקות, ע"פ פשוטו נראה שאותה הנהגה עדיין לא נתפשטה מספיק במקומנו, ורק מעוט בני אדם הוא שעושים כן, ודומיא דביצה בזמן הגמ', שמעוט בנ"א היו אוכלים אותה מבלי לבשלה, אשר על כן נפסק בגמ' יש בה משום ב"ג.

צבי שכטר

עש"ק פ' וארא תשע"ד

ראיתי את מה שידידי הרב שכטר נ"י כתב והכל אמת, כי אין מה שנטפל לשאר דברים באכילת הסושי בכח לקבוע על מעט הדג שבתוכו שיהא נקרא נאכל כמות שהוא חי ופשוט הוא.

ר"ח שבט תשע"ד לפ"ק  
חיים ישראל הלוי בעלסקי



### DAF NOTES

Rav Levi, Shlita serves as the Rav of K'hal Adath Jeshurun of Monsey and as Rosh HaYeshiva of Beth Medrash al shem Horav Shlomo Breuer of Washington Hgts. He is commenting on the article "Kashering Fabric", written by Rabbi Eli Gersten, which appeared in The Daf HaKashrus Vol. 21, No. 10, p. 53.

Dear Rabbi Gersten,

The poskim that permitted kiybus for cloth were discussing natural fabrics (e.g. wool, linen) that have different properties than synthetic fabrics such as polyester. Natural fibers absorb moisture even in the absence of heat. As such even when subject to heat we assume that the absorption process is the same and can be reversed even without heat. However when dealing with synthetic fibers there is a parallel absorption process between the finely spun fibers, which does not

require heat and is reversed by washing it out even if it originally absorbed with heat. However the actual body of these fibers do not absorb any moisture in contrast to the natural fibers. My concern is that when they are heated with nonkosher foods the body of the fibers will absorb just as any kli will absorb taam and therefore should require hagola just as any kli requires. So yes I can wash out a synthetic cloth but I am washing out only what gets caught between the fibers but that will not wash out any b'liya in the body of the plastic fiber. Similarly if I cook treif in a clear plastic bowl I can wash out everything on the surface of the bowl and it will look clean but without hagola I will not have removed its bliyos.

In conclusion, polyester is made of plastic, so kiybus should not be sufficient. I have always felt that synthetic materials should require

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## SOFO L'HISPASHET

**RABBI ELI GERSTEN**

RC, Recorder of OU Psak and Policy

**SHULCHAN ARUCH** (Y.D. 92:2)<sup>1</sup> says that if a drop of milk fell on to a piece of meat that was cooking in a pot, if the volume of the piece of meat was not 60 times the drop of milk, the piece of meat would become forbidden. However, if one stirred the pot immediately, and submerged the meat into the soup, then so long as there was sixty parts in all of the soup, including the liquid and all pieces, then everything in the pot is permitted.

The *Chamudei Daniel* (Ta'aruvos II Siman 1 and brought by *Pischei Teshuva* Y.D. 105:8) says that since inevitably some amount of time must elapse between the droplet of milk falling on the piece of meat, and the subsequent stirring, we can infer from this halachah that beliyos and plitos do not happen instantly, but must take some amount of time. Therefore, if one removed the droplet of milk immediately, the meat would also be permitted.

The *Aruch Hashulchan* (105:43) quotes the *Chamudei Daniel* and disagrees, (though he leaves open the possibility that two completely dry items that momentarily touch might be more lenient). The *Darchei Teshuva* (105:65) as well quotes many Achronim that disagree with the *Chamudei Daniel*. Therefore, Rav Belsky and Rav Schachter hold that one should not rely on the sevara of the *Chamudei Daniel* alone, but it can be used as a tziruf to be maikel when there are other sevaros. However, one should be choshesh for the *Chamudei Daniel l'chumra*. When kashering with hagalah, one should make sure to immerse the utensil into boiling water for at least 10 seconds, so that according to all opinions, the water has the potential to be polet the bliyos from the utensil.

A pipe that held hot issur for an extended period of time, we view as a continuation of the kli rishon. Therefore, it is not sufficient to kasher this pipe with a momentary blast of hot water through the pipe. Rather we must kasher it in an equivalent way to the way it was *boleya*. In this case, all would agree, that the kashering must take enough time to heat up the pipe, otherwise it would only be an iruy and not a *hagalah*. Depending on the thickness of the pipe, it can take a minute or longer to heat up the pipe.

However, if a pot was *boleya* due to a momentary touch with issur, then the pot can be kashered the same way; *k'bolo kach polto*.

*Tosfos* (Chulin 100a s.v. B'shekadum) offers a different explanation<sup>2</sup> as to why it helps to stir the pot, and submerge the meat. *Tosfos* explains that we do not say *chatichah na'asis neveilah* (ChaNa"N) on the piece of meat so long as the milk is being *mispashet* (spreading) through it. Even if we accept that a *beliya* begins instantly, however it takes time for the *beliya* to be *mispashet* throughout the piece of meat. By immediately submerging the meat before the droplet of milk finishes being *mispashet*, we in essence increase the size of the heter where the milk can spread, and thereby further dilute its effect. So long as we increase the volume to *shishim* before the milk finishes being *mispashet*, the milk will be *batel*. Even though *ChaNaN* of *basar b'chalah* is *d'oreisah*, nevertheless so long as one quickly stirred the pot, the *chatichah* is permitted. *Chazon Ish* (Y.D. 18:12) points out that the amount of time that one has to stir the pot is the same amount of time it takes for the milk to finish spreading. The exact

amount of time would depend on the size and shape of each piece, but we assume it is not more than a few seconds.

*Minchas Pitim* (Y.D. 105:3) takes this concept of *sofo l'hispashet* a step further. Someone placed a milchig spoon against a hot pot of chicken soup, and poured the soup over the spoon. Although initially when he began to pour, there was *shishim* in the pot relative to the soup, eventually the amount of soup left in the pot was less than *shishim*. Do we say that at this point, the remaining soup became assur, and will assur all the soup that was already poured, when they mix together? *Minchas Pitim* explains, based on the concept of *sofo l'hispashet*, that so long as the soup is all poured in one continuous flow, we wouldn't say *ChaNa"N*, and all the soup would be permitted.

Rav Belsky and Rav Schachter apply the halachah of *sofo l'hispashet* to hot liquid that accidentally was pumped through a *ben yomo* non-kosher pipe into a tank, provided that the amount of liquid that was pumped in one continuous flow was more than 60 times the volume

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## WHAT'S THE BERACHA ON...

### DAIRY/DAIRY FOODS

DAIRY FOODS	BRACHA RISHONA	BRACHA ACHRONA
Buttermilk	Shehakol	Borei Nefashot
Cheese	Shehakol	Borei Nefashot
Cheese Blintzes	Mezonot	Al Hamichya
Chocolate Milk	Shehakol	Borei Nefashot
Cottage Cheese	Shehakol	Borei Nefashot
Cream Cheese	Shehakol	Borei Nefashot
Cream with Fruit	See Comment <sup>1</sup>	Borei Nefashot
Custard	Shehakol	Borei Nefashot
Farmer Cheese	Shehakol	Borei Nefashot
Ice Cream <sup>2</sup>	Shehakol	Borei Nefashot
Macaroni and Cheese	Mezonot	Al Hamichya
Malted Milk	Shehakol	Borei Nefashot
Milk	Shehakol	Borei Nefashot
Milkshake	Shehakol	Borei Nefashot
Pizza (Meal) <sup>3</sup>	Hamotzi	Birkat Hamazon
Pizza (Snack)	Mezonot	Al Hamichya
Shamenet	Shehakol	Borei Nefashot
Skim Milk	Shehakol	Borei Nefashot
Sour Cream or Milk	Shehakol	Borei Nefashot
Sweet Cream	Shehakol	Borei Nefashot
Swiss Cheese	Shehakol	Borei Nefashot
Welsh Rarebit <sup>4</sup>	Shehakol	Borei Nefashot
Whipped Cream	Shehakol	Borei Nefashot
Yogurt	Shehakol	Borei Nefashot

<sup>1</sup> If the fruit is the main part – Ha-eitz. If the cream is the main part – Shehakol

<sup>2</sup> Even if ice cream is eaten in a cone, only Shehakol is necessary, since the cone is eaten only because of the ice cream and is clearly subordinate to it. Its purpose is actually not so much to be eaten as to hold the ice cream and to prevent the hands from becoming soiled (see Shulchan Aruch, Orach Chaim 212b; Mishnah Berurah 212:5; Kaf Hachaim 15). However, if you specifically use a sugar cone because you enjoy eating it, Mezonot must also be said before eating the cone.

<sup>3</sup> It is Pat Haba'ah Bkisinin. If two slices are eaten without other foods this would constitute a Keviat Seudah for an obligation of Birkat Hamazon. If pizza is eaten with other foods, such as french fries and salad, whatever amount of bread a person would usually eat at a similar meal with other foods would constitute Keviat Seudah of pizza even if less than two slices are eaten.

<sup>4</sup> By itself. When eaten together with toast – Hamotzi is said followed by Birkat Hamazon.

## WHAT'S MISSING?

### RABBI GAVRIEL PRICE

RC, Ingredient Registry

**AN RFR** who visits a yogurt facility has a number of things to look after, especially because most – if not all—yogurt producers in the United States make both kosher and non-kosher yogurt. Therefore, an RFR must not only check the ingredients used to make the certified yogurt, he must also evaluate the status of the equipment used to process it.

Nachum Meir, OU RFR, arrives at Amish Dairy Company in West Earl, Pennsylvania. He puts on his hair and beard net and right away asks to check the bulk incoming ingredients since he knows these are what he's most likely to forget.

The primary bulk ingredient, and in fact the main ingredient in yogurt, is milk. Whole milk is used for standard yogurt, low-fat for low-fat yogurt, and skim for nonfat yogurt. Amish Dairy also buys both condensed skim milk and cream so that they can alter, or tweak, the fat ratio of the milk so that it conforms to regulatory and quality standards. Nachum Meir checks the Bills of Lading for each of these commodities and confirms that both the suppliers and the trailers used to transport these products are approved. Last, he checks the Bills of Lading for liquid sweeteners, such as liquid sugar and corn



syrup. (to learn more about Bills of Lading see *Daf Hachashrus* Volume 21, No. 1, p.1).

Besides getting the fat content right, another major concern of the quality assurance team at Amish Dairy is ensuring that their product conforms to the consistency and firmness standards they have set for it. They have a number of ingredients available to help them. Non-fat milk solids increase the yogurt's solidity. Carrageenan gum, alginates, pectins, starches are used for consistency and mouth-feel. Nachum Meir diligently walks through the raw material storage area, checking each of these ingredients against his Schedule A.

Next, he inspects numerous drums of fruit bases before verifying the handful of flavors the company uses.

He checks the labels and verifies that the OU is only on authorized products.

Amish Dairy Company uses non-kosher gelatin in the non-kosher version of the yogurt so Nachum makes a point of stopping at his

liason's office to perform a "where-used" on the company's SAP (materials management and operations) system. Although he's been visiting for years, he always finds himself relieved when he confirms that the non-kosher gelatin appears only in the non-kosher products. He double checks a number of the kosher formulas to verify that the kosher stabilizer blends contain no gelatin.

As noted, Nachum Meir will not take leave of the plant without ensuring that the equipment used for kosher production is in fact kosher. Although a number of Amish Dairy's competitors kosher between non-kosher and kosher, Amish Dairy uses a stabilizer blend that contains gelatin at minimal proportions, such that the equipment processing the non-kosher yogurt does not, in itself, become non-kosher (Amish Dairy does this on its own; asking Amish Dairy to lower the amount of gelatin to avoid kashering equipment may be problematic – see OU Document L-48). So, he checks the batch sheets for the formulas used for non-kosher product and verifies that the gelatin remains below the threshold necessary to keep the equipment kosher.

Our RFR parts with his contact with a few congenial words and files his report to the office. "Kol Tuv," he writes. His conclusion, actually, is premature. What did Nachum Meir miss? See the answer on p. 25.

*Thanks to Rabbi Avraham Gordimer for proposing this installment of "What's Missing?"*

## ELECTRONIC INSPECTION REPORTS (EIRS)

### *Proper Completion and Handling*

### RABBI AVROHOM GORDIMER

RC, Dairy, Continuing Education

**EIRS** have exponentially enhanced kashrus work. Quick submittal/receipt/response, as well as confidentiality, the ability to save and track data, and integration into the entire OU kashrus system, are among the many great benefits of the EIR program.

It is important that EIRs be completed and handled appropriately. Although the following guidelines pertain to any visit report or kashrus communication, they are being presented here as regards EIRs, as EIRs have now become the main method of reporting OU kashrus visits.

1. EIRs for plant visits should be submitted in as timely a manner as possible.
2. RCs are expected to open EIRs in a timely manner and are required to read all data and comments, respond in appropriate detail to EIRs, and take any necessary follow-up action in a timely

manner. To merely disregard or close an EIR without reading, replying and following up is totally unacceptable. Additionally, it is important to read every EIR (and every communication in general) thoroughly and attentively. Failing to do so is inconsiderate to the RFR who issued the EIR and is damaging to our kashrus work.

3. RFRs and RCs who receive follow-up questions and comments in EIRs need to respond. If an RC or RFR sees open visits in his OUDirect log of submitted visits, he must open such visits and see if there is something that was left outstanding, the reason for which the visit is still open. Once all issues have been resolved, the EIR should be closed.
4. **Data in EIRs must be submitted with total and complete detail.** This means including the full name, source and product code of every ingredient reported, whether it has a kosher symbol, and what that symbol is. So too for new products – one should specify the exact names and brands of products that do not appear on schedule B, along with their kosher symbols. If an ingredient looks like it may not be kosher or appears to be of concern, it is helpful to note whether or not the ingredient has been used, **plus its lot number**. It is unacceptable to enter in an EIR merely that, "found some new ingredients", "vanilla flavor from Firmenich", "whey from Saputo", "OU now on several new flavors", and the

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regular kashering. wIs there any source that *kiybus* can be applied to synthetic materials as well?

Rabbi Meir Levi

Dear Rav Levi,

Excellent הערה. I discussed your shailah with Rav Belsky and Rav Schachter, and they both thought that synthetic cloth such as polyester could be kashered with *kiybus*, just like natural fabric. Rav Belsky explained that we do not differentiate between natural and synthetic material, provided that they appear to have all the properties of regular cloth, i.e. they appear to absorb even without heat and appear to get washed clean with *kiybus*. Polyester cloth will mimic cotton cloth in this regard. True that on a microscopic level there are differences, but halachically it would not make a difference.

However, a cloth made from human hair, gold strands or plastic bristles, which are obviously hard and do not absorb and are only בולע with heat, would not be the same as cloth. They would require regular kashering with hagola.

See also *Pri Migadim* (M.Z. 451: end of siman) regarding *kiybus* on *niyar* (old style paper). Although wood cannot be kashered with *kiybus*, yet *niyar* which contains cellulose wood pulp, can be kashered with *kiybus*, because it is turned into a fabric, and the washing is effective.

פרי מגדים אורח חיים משבצות זהב סימן תנא ס"ק לא

כלי עור, ביורה דעה סימן קל"ה סעיף י' בין נסך נותר בהגעלה ועירוי ג' ימים, ומיין נסך אין ראייה לשאר איסורין, ואמנם בב"ח שם [ר"ל, א ד"ה כל] דהוא הדין לשאר איסורין בעור מהני הגעלה, בסעיף כ"ז. ופרשת מדין [במדבר לא, כ] וכל מעשה עוים להביא כלי עור, אין ראייה, דלא קאי אהגעלה. ועיין ב"י אורח חיים [סימן] תנא [קצד], א ד"ה כתב בעל. והוא הדין כל הכלים לבד מחרס נותר בהגעלה. אותן שעושין מנייר וכדומה. ומפות אין היתר כי אם בכיבוס בחמין אפר וחביטה, לא בהגעלה, כי אין מועיל לבעין שנכנס בנקבי אריגה. ועיין סימן תנא סעיף י"ח ובמ"א אות ל"ו

Rabbi Eli Gersten

## DAF NOTES

The following correction was received from Dr. Judith Leff who served for many years as an ingredient technology specialist at the OU. The Daf thanks Dr. Leff for pointing out this error.

Dear Rabbi Grossman, amve'sh

I read your *Daf Hakashrus* with great interest and congratulate you on your achievements.

I am writing to inform you, that there is an error in the *Daf* regarding the nature of buckwheat. In the *Daf* of Cheshvan-Kislev (Vol. 22, No. 1, p. 3) it is stated that buckwheat is a legume. This confusion may have arisen because buckwheat is considered a *kitnyos*, but if legumes are *kitnyos* not all *kitnyos* are legumes.

The plant world is divided into families according to their specific botanical characteristics. Legumes are such a family, one of whose main characteristics is that their seeds are formed in pods. Buckwheat belong to a different family called Polygonaceae.

Grain is a general term which applies to seeds that are used as staples and can be made into flour. For example, buckwheat, rice and wheat are all called grains despite belonging to three different families.

Best Regards

Judith Leff, PhD

## DAF NOTES

The Daf has received the following communication from BC Kosher regarding their new Kosher Check symbol pertaining to BCK items listed on OU Schedule A's.

Dear Rabbi,

As I am sure you may have heard we have recently changed the name of our symbol from BC Kosher to Kosher Check. Many companies have already started to switch our symbol on their packaging. As a result of this we are now switching our Letter of Certification from BCK to Kosher Check. You will notice that our new LOC has a note stating that it covers products bearing either BCK or Kosher Check symbols. Please inform your Mashgichim about this. I would also like to ask that you inform the person in charge of your Kosher Hotline about the symbol change in case you receive calls from members of your kehillah who have not yet heard about it.

Kol Tuv,

Richard Wood

Director, Business & Marketing

Tel: 604-731-1803: Ext: 103



## 11<sup>TH</sup> MAZEL TOV!

Rabbi Moshe Machuca, Far East RFR completed Mishnayos for the 11th time in a siyum held at OU headquarters.



HARRY H. BEREN



SKYPE



The first SKYPE presentation to elementary schools was to the students of Toras Chaim in Norfolk, VA who attended class on a "snow day" to hear Rabbi Juravel discuss kosher supervision of factories.



to our dedicated RFR in Lakewood, NJ **RABBI SHIMON YOFFE AND HIS WIFE** on the birth and Bris of their son Yisroel.

to our devoted RFR in Passaic, NJ **RABBI ZORACH SPIRA AND HIS WIFE** on the birth and Bris of their son Dovid.



like (especially in light of the fact that Firmenich manufactures 205 vanillas under the OU and Saputo

manufactures dozens of whey products at many different plants). Rather, one should report, “050001 106292 Vanilla N/A Type Flavor from Firmenich– OU”, “Deproteinized Dairy Whey from Saputo plant #06-240 – lot 1009393 – MISSING KOSHER SYMBOL - sample size, but was used in production”, etc. Lack of such crucial details prevents the OU from being able to identify the items and address the issues, and indicates that the EIR has not been acceptably submitted.

### PROPER MESSAGING PROTOCOL

Although I have been told that the following guidelines are devarim peshutim (obvious things) for most of us, reinforcement is always beneficial:

1. All messages, be they voice, text or email messages, are expected to be replied to in a timely manner. It is unacceptable to ignore messages.
2. If you will not be available for an extended amount of time, it is important to indicate this in advance in your voice mail greeting and by way of an out-of-office return message.
3. If you will not be available for an extended amount of time, please notify in advance whom to contact for any urgent matters that may arise in your absence.
4. It is expected that you will be reachable by any means of any contact information which you provided to the OU. If you provided the OU with your email address, it is expected and required that you check your email on a regular basis and keep current with it.
5. Always leave detailed messages, unless the matter is too sensitive, complex or personal. In typical cases, a voice message should speak to the specific issue at hand, rather than the typical, “Please call me back” and “I am returning your call; please try to reach me again.” With people going in and out of plants and meetings throughout the day, merely leaving phone tag-style “call me back” messages with no information can prove to be very inefficient.
6. Leave a message. Calling repeatedly and refusing to leave a message is unhelpful.
7. When someone is listed in the cc box of an email, and it is obvious that that person needs to receive the response or follow-up you are about to send to the person in the “from” box of that email, please be sure to reply to all, unless there is some reason of confidentiality involved. (For example, Rabbi Rabinowitz is sending a message to Rabbi Goldberg, cc Rabbi Nathanson, inquiring about a fish product reported by Rabbi Nathanson. Rabbi Goldberg’s reply to Rabbi Rabinowitz would be cc Rabbi Nathanson, so that Rabbi Nathanson receives the answer from Rabbi Goldberg on the spot, without troubling Rabbi Rabinowitz to now forward Rabbi Goldberg’s message to Rabbi Nathanson. (This sounds very simple but is often not done, unnecessarily taking precious time.)
8. *Do not use bcc unless you know 100% for certain that all persons in the bcc box know not to hit “reply to all” in their response.* Otherwise, do not use bcc at all. It is too risky and has been the cause of untold embarrassment when bcc recipients hit “reply to all”, revealing against the will of the original sender the identity of those whom he copied in confidence. *(And, should you receive a message in which you are a bcc party, be sure to never hit “reply to all”, as you can do tremendous damage thereby.)*
9. When leaving a message, be sure to always identify yourself and provide your contact information, so that the message’s recipient

can contact you back without having to guess who you are and to look up your phone number (or email address).

The guidelines for proper reporting and messaging are almost without end, but the most important source for this topic, which is the “Rosh” (one’s seichel/common sense, as my rebbe would say – using one’s head), must guide our every move. With siyata di-shmaya and always using our rosh, may we succeed.

### ADDITIONAL INPUT BY KASHRUS STAFF REGARDING PROPER MESSAGING

1. When returning back to work after an absence, one needs to promptly turn off his out-of-office message.
2. It is important to go over the visit report with the plant before taking leave of the plant and to explain the report to the plant, as well as to offer to help the plant obtain any LOCs or UKD-IDs and to submit requests (via OUDirect, if possible) that were necessitated by the visit.
3. It is always very helpful to take and email to the OU office photos of questionable ingredients and product labels seen at the plant, so long as the plant permits such photos, as many plants do not.
4. Please acknowledge emails so that the senders know that you received the emails and read them. A polite “thank you” and “kol tuv” means a great deal to one who put in great effort to conduct a thorough visit and issue a good report. Messages from everyone, be they rabbis or assistants, deserve the derech erez of a reply.
5. People often have a very hard time hearing others who use speakerphone, especially if one of the parties is on a cell phone. Speakerphones should only be used with the agreement of the other party (“Do you mind if I put you on speakerphone?”) and for conference calls.
6. When activating an out-of-office message, please make sure that the message is current. Out-of-office messages should always indicate whom to reach in your absence, in case a prompt response is needed.
7. When an ingredient encountered on a plant visit seems to be of serious kosher concern, one should request that the ingredient be placed on hold. The EIR in such cases should be submitted promptly, and an immediate phone call to the OU office about the ingredient is also recommended if not required.
8. When submitting or inserting a change of plant or company contact, it is necessary to always include the new contact’s full name, email address and title. Lack of an email address will prevent the OUDirect system from accepting contact changes and will prevent the contact from receiving schedule A and B updates. ■

### ANSWERS TO “WHAT’S MISSING” (PAGE 23)

#### YOGURT

Yogurt is fermented milk, and the agent of fermentation is a yogurt culture. It’s actually easy for a mashgiach to miss the cultures because they’re kept in a refrigerator, out of sight. But out of sight should not be out of mind, nor will it be when a mashgiach thinks through what steps are necessary to produce a product before performing his task.



through? Must we be concerned that *bliyos* of *issur* will become absorbed into the flowing liquid in a matter of seconds, surely in much less than a minute, and cause the liquid in the pipe to already become *assur* before it gathers in the tank? Rav Schachter explained that the concept of *sofo l'hispushet* applies here as well. *Sofo l'hispushet* means that from the onset, a system is in place that will cause the *issur* to be diluted until it is *batel*. In such a case, we view the entire system in its totality as being *mivatel* the *issur*, and we would not say *ChaNaN*.

*Teshuvos Ksav Sofer* (Y.D. 53) wrote a similar *sevarah* to explain why the Rambam (brought in *Shulchan Aruch* 92:2) required stirring the pot "מתחילה עד סוף" (beginning to end). *Kesef Mishna* explained that this prolonged stirring is necessary, because we are concerned that the initial stirring might not have been sufficient. This is difficult to understand. If the initial stirring wasn't sufficient then the *chaticha* would already be *assur*, and why would it help if one continues to stir? *Ksav Sofer* answered based on the *sevara* of *sofo l'hispushet*. Although the initial stirring might not have succeeded in spreading the *beliya*, it began a process by which eventually the stirring will succeed in redistributing the *ta'am* of milk. The mere starting of a process that will eventually lead to *bitul* is enough to suspend *ChaNaN*.

Therefore, so long as from the onset a system was in place by which enough liquid will gather in the tank to be *mivatel* all the *bliyos* in the pipe, the liquid would remain *mutar*. However, if the product was originally in two separate tanks, and as the product emptied from the first tank it was required for someone to open a valve to continue the flow from the second tank in order to be *mivatel* all the *bliyos*, then we cannot say *sofo l'hispushet*. However, if this would cause a *hefsek mirubah*, one would still not say *ChaNaN* since this is *lach b'lach*.

of the pipe. But what if the pipe is hundreds of feet long and the liquid take more than a minute to flow

Another example where we could not rely on *sofo l'hispushet* would be as regards a thicker more viscous liquid that does not mix well. Rema (104:2 based on *Teshuvos Ha'Rosh*) paskens that if a mouse was found on the bottom of a barrel of fat, all the fat in the barrel is *assur*. We are concerned for the possibility that all the hot fat was poured directly over the mouse. *Pleisi* and *Chavas Da'as* explain that in this case, because hot fat begins to thicken and congeal quickly, we do not view the mixing fat as *lach b'lach*. Each thin layer of fat becomes *assur* and does not combine well with the other layers. So we cannot say it is *sofo l'hispushet* and will be *batel*.

This has practical ramifications for margarine that passed through a non-kosher *ben yomo* *Votator* (scrape surface heat exchanger). Because the margarine becomes semi-solid, we cannot say that all the margarine is evenly dispersed and becomes *batel*, but rather there will be margarine of *issur* mixed throughout the batch. This would be similar to Rema's case of the barrel of fat, so here too we would not say *sofo l'hispushet*.

The rules of *sofo l'hispushet* are quite complex and should be applied only in consultation with the OU office.

<sup>1</sup> This is based on the *Mishna* in *Chulin* 108a (*Perek* 8 *Mishna* 3)

<sup>2</sup> Rav Belsky thought that the *Chamudei Daniel* was not in direct conflict with *Tosfos*. He explained that *Chamudei Daniel* did not mean to say that none of the *beliya* starts immediately, but rather since it takes time to be *mispushet*, we also view the *beliya* as entering in increments. The *beliya* begins immediately, but only a very small amount, which would always be *batel*. The longer the *issur* remains, the larger the *beliya*, and the further it is *mispushet*.

<sup>3</sup> At first glance, this *sevara* would seem to be contingent on a *machlokes Shach* 137:11 and *Taz* 137:4, as explained by *Beis Meir*. *Shach* holds that we can only be *mivatel* the *bliyos* *issur* with the wine that is actually in the pipe, otherwise we would say *ChaNaN*, while *Taz* is *mitz'taref* all the wine that passes through the pipe in one continuous flow. However, in truth, this case is really an exception, since as *Shach* explains; here we are dealing with *klei kiyum* of *yayin*, which *assurs* even cold wine upon contact, even though there is no *bliya*. Therefore, the rules of *sofo l'hispushet* would not necessarily apply.

HARRY H. BEREN



The Harry H. Beren ASK OU Kashrus Skype Program recently completed its 10 part series to Kollel Beth HaTalmud in Melbourne, Australia. The presenters and topics clockwise were Rabbi Issar Mordechai Fuchs "Shmatah Bedikah" - The new method of checking for insects; Rabbi Chaim Loike, Kosher Birds and Eggs; R. Loike, Kosher Signs of Animals and Rabbi Moshe Perlmutter, Kosherization

