



# Daf HaKashrus

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## CHOLOV YISROEL UNRAVELING THE MYSTERIES - PART I

Rabbi Avrohom Gordimer, RC Dairy

*"There is no purpose in drinking cholov yisroel today, as the government inspects the dairies and makes sure that all the milk is kosher." "Isn't all milk with a hechsher considered cholov yisroel?"*

The topic of cholov yisroel is fraught with confusion and misunderstanding. Let's try to clarify and demystify things.

### THE HALACHA

Chazal decreed that milk is only permitted when the actual milking was supervised by an on-site Yisroel, serving as the mashgiach. (*Avodah Zarah 35b, Shulchan Aruch Yoreh Deah 115:1*) This gezeirah is due to the concern that milk from non-kosher animal species may be mixed into the otherwise kosher milk. In modern times, many people and communities follow the ruling of R. Moshe Feinstein zt"l (*Igros Moshe YD 1:47-49*) that since the government inspects dairies and makes sure that milk from non-kosher species is not present in the milk supply, our knowledge of this fact is the halachic equivalent of a mashgiach witnessing it (based on the halachic axiom of *anan sahadei* - that firm knowledge of something is equal to witnessing it). According to R. Moshe, all milk in countries with adequate dairy regulations benefits from "virtual supervision", as Klal Yisroel's knowledge that the milk is under tight government control which keeps out milk from non-kosher species is halachically equal to us witnessing the milking and handling of the milk; all domestic commercial milk therefore satisfies the halachic requirement that a Yisroel supervise it. Such milk is commonly referred to as cholov stam.

However, not all poskim concur with R. Moshe's approach. Some poskim rule that the presence of a live, on-site Yisroel as the mashgiach is indispensable, and that milk which lacks this supervision is non-kosher (cholov akum). My recent article in Mesorah, [oukasher.org/content/uploads/2012/12/Mesorah\\_27.pdf](http://oukasher.org/content/uploads/2012/12/Mesorah_27.pdf), presents differing opinions among Rishonim about the kashrus of milk that is supervised in the absence of a live, on-site mashgiach. Those opinions in the article that rule strictly assumedly would not permit cholov stam.

Regular OU-D milk is cholov stam, as it is not supervised in accordance with cholov yisroel regulations. Standard OU-certified milk processing plants are visited by OU supervisors on a spot-check basis to assure that all ingredients (such as vitamins, flavors and any incoming bulk liquids) are kosher and that the equipment is kosher.

### HOW IS CHOLOV YISROEL SUPERVISION CONDUCTED?

In order to understand what cholov yisroel supervision entails, we need to first briefly discuss cholov yisroel farms.



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# THE HOW'S AND 'WISE' OF MEVUSHAL

## PART II

Rabbi Nachum Rabinowitz, Senior Rabbinic Coordinator

### GRAPE JUICE CONCENTRATE

Concentrated grape juice is a very common ingredient in the beverage and food industries. It is often reconstituted into grape juice or is used to sweeten other foods and beverages. The OU is often asked how it is that OU certified nationally distributed products that contain kosher sensitive grape juice concentrate. The answer very simply is; that the grape juice contained therein was manufactured by teams of OU supervisors, to meet the highest standards of kosher.

In all cases the industrial concentrating methods used involve boiling temperatures and beyond. Grape juice concentrate would therefore be considered Mevushal according to all authorities.

### WINE BRANDY, WINE VINEGAR & COOKING WINE

Grape brandies such as cognac from France is a distilled grape wine and

could not be considered kosher unless it was made especially as kosher with special supervision and handling. The distillation process of alcohol also involves heat at boiling temperatures and beyond. Here too all distilled brandy products are inevitably Mevushal.

When the alcohol found in wine ferments into acetic acid the finished product is known as wine vinegar. Once the conversion of wine to vinegar is complete it is no longer Halachically similar to wine<sup>1</sup> and is no longer susceptible to prohibition by unsuitable handling. As a matter of practicality, most wine kosher vinegar is fermented from kosher wine that was already Mevushal previously.

Cooking wine are frequently salted both to preserve the wine (usually used in small amounts over long periods of time) and to save on tariffs imposed on drinkable alcoholic beverages. The high sodium content in such wine renders it non-potable. This also serves to exclude that wine from the handling restrictions of other non-Mevushal wines<sup>2</sup>.

### NOT JUST ANOTHER BEVERAGE

In the privacy of our homes, shared with close friends and family non-Mevushal wines are just fine (and for Kiddush even preferable). At public foodservice events (and even at home when non-Jewish domestic help is present) it is usually preferable to use Mevushal wines. [*Of interest to wine aficionados: Combination lock wine bottle stoppers can be used to reseal and secure open bottles of non-Mevushal wine. These are available at some wine specialty outlets.*]

Kosher wine is not just an enjoyable drink; it is used to sanctify the Shabbat and Jewish festivals. You will similarly find it at a *Brit Mila* where a Jewish child is brought into G-d's covenant and under the *Chupa* of the Jewish wedding where the sanctity of the Jewish home is established. On Pesach we drink four cups of wine to commemorate our ancestor's freedom from bondage and assumption of our elevated role as G-d's chosen nation.

Sanctity is achieved via separation and spiritual transcendence. It is with these considerations that such special care is attended OU certified grape based products. It is through the fruits of the vine that we can experience the Divine.

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<sup>1</sup> Shulchan Aruch YD 123:6

<sup>2</sup> Ibid 123:4

## CHOLOV YISROEL

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There are two types of cholov yisroel farms, each with its own protocol:



### PART-TIME CHOLOV YISROEL FARMS:

These are farms that do not normally have on-site supervision for cholov yisroel; their regular milk is cholov stam. However, every so often, a cholov yisroel production is scheduled. This involves a team of mashgichim coming to the farm for a special production of cholov yisroel over the course of a day to many weeks straight. The mashgichim kasher all equipment that had hot contact with cholov stam, as well as all milk holding tanks and silos that held cholov stam for 24 hours or more straight (the axiom of *kovush*), and the mashgichim remain at the farm for the duration of the cholov yisroel production.

### FULL-TIME CHOLOV YISROEL FARMS:

These farms are cholov yisroel year-round. Mashgichim live at these farms, or within a few blocks of them, as supervision is needed 24/7/365, with a mashgiach present for every single milking throughout the year. Any hot-use equipment and milk holding tanks and silos on these farms was kashered prior to starting cholov yisroel service, and the equipment retains cholov yisroel status thereafter.

It must be noted that cholov yisroel mashgichim, as well as almost all other mashgichim who work at facilities that require 24/7/365 kosher supervision, live with unimaginable *mesiras nefesh*. Most cholov yisroel farms and *hashgocho temidis* food plants are located in extremely far-flung areas, remote from Jewish communities and often from "civilization" in general. These mashgichim sacrifice the most basic of needs and comforts, as they live and work in isolation in order to provide their brethren with superior kosher food *l'mehadrin*.

### WHAT EXACTLY DO CHOLOV YISROEL MASHGICHIM SUPERVISE?

The short answer is that the mashgichim supervise every milking session in order to verify that only cows are used (or goat or sheep, in the case of goat and sheep farms). The mashgichim also assure that no unsupervised milk is brought in and incorporated into the farm's cholov yisroel milk. Although this may sound straightforward, there are many critical details, all of which are addressed in the primary halachic sources.

Halacha requires the mashgiach to be present for

*techilas ha-chalivah*, the commencement of the milking session, in order to examine the milking equipment and assure that it contains no residue of other milk. The mashgiach must then be present at least on a *yotzei v'nichnas* (spot-checking) basis during each milking session. (*Remo in Yoreh Deah* *ibid.*, Shach s.k. 4) The mashgiach also has to be present for the completion of each milking session (*sof ha-chalivah*), in order to affix his special kashrus seals to the holding tank or silo where all of the milk just collected is stored, thereby assuring that no unsupervised milk is incorporated into the cholov yisroel.

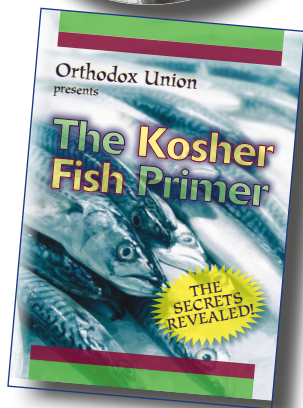
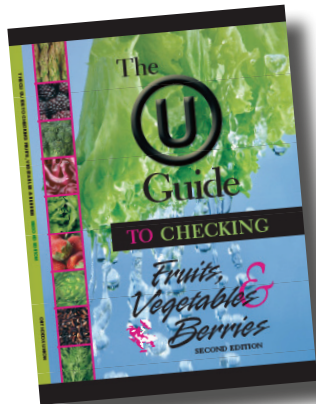
Rav Chaim Yisroel Belsky told me that Rav Shimon Schwab established the cholov yisroel supervision at farms that provided milk for cheeses under the hashgocho of K'hal Adath Jeshurun (KAJ – "Breuer's") as follows: a) The mashgiach would be present at *techilas ha-chalivah*; b) the mashgiach would make at least one unannounced visit in the middle of each *chalivah*; c) the mashgiach would be present for *sof ha-chalivah*. This fulfills the halachic mandate for cholov yisroel supervision without question.

The truth is that since cholov yisroel farms are almost always located so remotely far from Jewish communities and from other places of interest, once the mashgiach is at the farm, it is not really possible to go elsewhere, even if the farm is a part-time cholov yisroel facility and the mashgiach does not live there year-round. Thus, the mashgiach is normally present anyway for the entire *chalivah*. Furthermore, it is clear as day to anyone who visits a commercial dairy farm that the only animals on-site are cows (or sheep/goat), and the Halacha is that if a farm has no non-kosher animals, the mashgiach need not witness the actual milking, as even if he is stationed outside of the milking parlor (the room where milking occurs) and verifies that no non-kosher animals enter, the milk is kosher/cholov yisroel. (*Avodah Zarah* 39b, *Shulchan Aruch* *ibid.*) Nonetheless, common protocol of the kashrus agencies which certify cholov yisroel is for the mashgiach to physically be present in the milking parlor for *chalivah*.

*to be continued*

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