

Beth El - Keser Israel Kashrut Policy
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Introduction

Food is not simply an accessory to our life experience. It is not simply an adjunct attached to things that matter more. Food, rather, is a primary manner of interacting with God, with each other, with our Torah, and with our bodies. It is a way that we weave these things together, connecting us bodily to holiness and to each other.

We learn this from every corner of Judaism. What is at the center of Jewish worship? The offering of sacrifices, which were 1) symbolically eaten by God, and 2) actually eaten by the kohanim. What is at the center of Shabbat? The consumption of wine at the location of a meal, the vehicle by which transcendent holiness is brought out in our lives. What practices do we observe three times a day? Prayers, and meals. What do we do on the holiest day of the year? We abstain from eating – which emphasizes its significance. What do we do on the night that we connect most directly to our historical and spiritual identity? We have a seder and a week-long celebration of matzah. What human activity connects us to God's grace? Eating. What mitzvah represents our greatest gift to the poor? Feeding the hungry. What laws are modeled after the sacrificial service, expressing our bodily connection to holiness every time we eat? The laws of kashrut. What delicious pastry is made on Hanukkah and stuffed with jelly? Sufganiyot.

Eating is not some adjunct to Jewish experience. It is a fundamental aspect of it that effects a body-spirit connection. The act of eating is an act of sanctifying the mundane and lifting it up as holy.

The observance of the laws conventionally called “kashrut” involves a series of permissions and prohibitions, of inclusions and exclusions, that guide our eating practice. The practice of kashrut takes place in the broader field of our lives, alongside laws relating to ethical behavior toward animals, treatment of humans, laws of trust and faith, legal conceptions of peoplehood, in addition to laws around Shabbat and holidays. It is rare that a question about kashrut is *only* a question about kashrut. Likewise, our kitchen at BEKI is guided not only by the laws of kashrut, but the laws of other fields of Jewish behavior.

One aspect of modernity that greatly affects food has been the change in social relationships from communal-based and concrete to increasingly global and abstract¹. We do not grow or process our own wheat or meat; we do not cure our own cheese, or even milk our own animals. We import spices and luxuries from distant climates, and we are caught up in a (morally implicating) net of social relationships concealed beneath every food commodity exchange.²

¹ See Ferdinand Tönnies's *Gemeinschaft* and *Gesellschaft* concepts to deepen an understanding of how halachah and Jewish denominations changed in the 20th century

² Many in recent decades have sought to connect more deeply to the processes of food production, whether through milking their own cows or growing their own wheat.

The laws of kashrut, which are at core about the preparation and consuming of food, are today reduced to interpreting chains of custody represented by hekhshers. How do we know that this piece of chicken is kosher? Once, I would have known the butcher; today, that relationship is obscured.

An effect of this has been the “hekhsher-fication” of kashrut. That is, instead of seeing kashrut as a living body of practice that affects our lives and our kitchens, it becomes simply a purchasing decision: does this item bear a hekhsher (a guarantee of its kosher chain of custody) or not? In a synagogue, we should strive for greater appreciation of the spectrum of kashrut, and deeper empowerment beyond simply purchasing decisions.

Furthermore, hekhshers have been increasingly commodified, and a hekhsher itself stands as a symbol for a large number of legal, cultural, political, theological, economic, and ethical decisions that are obscured by the faith we put in the icon of a hekhsher. The effect of this is that the largest, agro-business food products receive hekhshers, while small, local purveyors usually do not. We ought to have more faith in jam purchased at a farmer’s market from a person whose face we see than in jam processed thousands of miles away, but the hekhsher structure makes us distrust the evidence of our own eyes and ears in favor of the evidence of the hekhsher.

There is a positive value in creating a kashrut policy that does not solely devolve to hekhshers, with the caveat that kashrut is complicated, and what seems simple might not always be so. This will play out in the policy.

One large area of kashrut conversations has to do with the fences erected around the laws. Pirke Avot famously enjoins us to build a fence around the Torah (1:1). Maimonides comments on this verse that the verse refers to “gezeirot and takanot” (decrees and ordinances) that distance a person from sin. Maimonides cites the principle of “ushmartem mishmarti,” from Levi. 18:30, which is taken by the Talmud (Moed Katan 5a) to represent protective measures we might take to prevent a person from violating halakhah.

Sometimes, the fences are so high that you can’t see the original law. The Pele Yoetz (Rav Eliezer Papo, Bulgaria, early 19th century) argues that, if people knew that some prohibitions were actually as weak as they are (that certain fences were unimportant), then they’d be liable to stop taking seriously things that rabbis say. The Shnei Luchot Habrit (Rabbi Isaiah Horowitz, Prague, 16th century) says that there is a problem with obscuring the source of Torah prohibitions with fences because it removes them from our lives. He cites the Halichot Olam, itself citing Rashi on Talmud Beitzah 2b. Rashi writes that, in essence, it is always easy to say “no”; but halakhah and the tradition of learning are expressed better through the permissive gesture.³

³ Rashi on dibur hamatchail “de-hatanya adif leih”: טוב לו להשמיענו כח דברי המתיר שהוא - סומך על שמועתו ואינו ירא להתיר אבל כח האוסרין אינה ראייה שהכל יכולין להחמיר ואפילו בדבר המותר

This will play out in our policy in two ways: by allowing for the nuance present in laws to shine through, but also recognizing that nuance itself can be disorienting, and there are times and situations in which clarity is needed.

Last, Jewish law recognizes the presence of both “lehatchilah,” a priori, and “bedieved,” a posteriori, legal facts. Many rules of kashrut are quite stringent before the fact, but after the fact, leniencies come in. For example, we keep our meat and dairy spoons separate. But if we find that we accidentally ran a dairy spoon through a meat dishwasher load, we don’t need to be concerned, because, by the principle of “sfeik sfeika” (two axes of doubt), we can doubt that the spoon actually absorbed a meat ta’am (because of both the general doubt of absorption and the presence of soap) and permit the spoon for continued use without rekashering. Nevertheless, lehatchilah, we keep our spoons separate, and do not do this. Likewise, if we were to bring into our house a piece of cold food that was cut with a non-kosher knife, and put it on our plate, we would not have to worry, considering that both its absorption of taam through the knife and its transmissal of taam to the plate are in doubt.

What these leniencies mean is not that they are not active rules before the fact, but that they are never active enough to push off or defer other mitzvot, positive or negative, such as not shaming another, rejoicing on Sukkot, or eating on Shabbat. In fact, while rejoicing and eating are positive mitzvot, not shaming is a negative mitzvah, meaning that we should set incredibly high fences up to protect anyone from shame.

This is particularly incumbent on our hashgacha operations. In no case should a mashgiach shame another or speak with a tone of disdain when we are in the realm of “doubtful kashrut violations” (which will be enumerated below). In the case of substantive kashrut violations, corrective action should be taken, but well within the space of preventing shame, and with an awareness that shaming is *avak retzichah*, akin to murder, a strongly punished commandment, and even the most brazen kashrut violation is only a *hattat*, the lightest possible punishment for a commandment.

Altogether, we should comport our kashrut behavior with the following in mind:

רָאָה | לְמַדְתִּי אֶתְכֶם חֻקִּים וּמִשְׁפָּטִים כַּאֲשֶׁר צִוִּי ה' אֱלֹהֵי לַעֲשׂוֹת לְךָ בְּקִרְבְּ הָאָרֶץ אֲשֶׁר אַתֶּם בָּאִים שָׁמָּה לְרִשְׁתָּהּ
וּשְׁמֵרְתֶם וַעֲשִׂיתֶם כִּי הוּא חֻכְמַתְכֶם וּבִינְתְּכֶם לְעֵינֵי הָעַמִּים אֲשֶׁר יִשְׁמְעוּן אֶת כָּל-הַחֻקִּים הָאֵלֶּה וְאָמְרוּ רַק עִם-חֻכְמֵם
יִגְבוֹן הַגּוֹי הַגָּדוֹל הַזֶּה:

“See, I have imparted to you laws and rules, as the Lord my God has commanded me, for you to abide by in the land that you are about to enter and occupy. Observe them faithfully, for that will be proof of your wisdom and discernment to other peoples, who on hearing of all these laws will say, ‘Surely, that great nation is a wise and discerning people.’”

Deuteronomy 4:5-6

Our observance of the law should lead others to say – what a wonderful and wise way to live!

Substance of the Policy:

The Rabbi, as the *mara d'atra*, uses the Rabbi's understanding of halakhah to interpret the laws of kashrut for the synagogue. Teshuvot of the Rabbinical Assembly of the Conservative Movement's Committee on Jewish Law and Standards serve as helpful precedent.

General Kashrut Policy

1. BEKI is a kosher space. We observe the laws of kashrut in our building, and in our adjoining annexes, such as the parking lot, sukkah, and playground.
2. Wine is not technically covered by the laws of kashrut; it is covered by its own set of laws. Nevertheless, as we think of wine as part of food, we will elaborate a wine policy here:
 - a. All wine or grape juice brought into the synagogue must have a hekhsher.
 - b. Wine and grape juice need not be *mevushal*, but wine which will be served by a server at a catered meal must be.
 - c. All wine or grape juice served for kiddush should be checked to ensure that it is a grape product, rather than apple juice or blackberry wine.
3. We do not concern ourselves with the following halakhic categories:
 - a. *tevilat kelim* (ritually immersing utensils before use)
 - b. *halav Yisrael* (milk produced under solely Jewish supervision)
 - c. *pat Yisrael* (grain products cooked or baked under solely Jewish supervision)
 - d. *bishul akum* (certain cooked foods prepared under Jewish supervision)
 - e. *achilat dagim im basar* (eating fish together with meat)

The BEKI Kitchen:

1. Except as specified below, food brought into the kitchen must bear a hekhsher from a recognized kashrut supervision agency. A large list of kashrut agencies can be found [here](#). Note: We do not consider the Tablet-K hekhsher, the Ko hekhsher, or an individual letter K to be valid hekhshers for our kitchen.
2. The following items can be brought into our kitchen and used without a hekhsher:
 - a. Whole eggs, uncooked
 - b. Unflavored coffee beans or ground coffee
 - c. Pre-washed salad greens, even if pre-cut
 - d. Raw vegetables, including baby carrots, chopped broccoli, and shelled peas
 - e. Frozen vegetables with no added ingredients
 - f. Vegetables that were cut at a supermarket do need a hekhsher. Exception: Vegetables cut at a kosher supermarket or at New Haven's Edge of the Woods market do not need a hekhsher.
 - g. Raw dry grains, beans, rice, and nuts do not need a hekhsher; canned beans, par-cooked grains, and roasted nuts do need a hekhsher.
 - h. Honey

- i. Milk
 - j. Plain yogurt, with no flavoring
 - k. Dried chiles
 - l. Extra-virgin olive oil
 - m. Regular black and green teas do not need a hekhsher; flavored teas and herbal teas do require a hekhsher.
 - n. Pure maple syrup does not need a hekhsher if it is marked as organic or vegan; otherwise, it does require a hekhsher.
 - o. Dried fruit without additives does not need a hekhsher; with additives such as preservatives and artificial sweeteners, it does.
 - p. Whole spices do not need a hekhsher. Ground, single-ingredient spices do not need a hekhsher. Ground spice mixtures, i.e., with more than one ingredient, do require a hekhsher.
 - q. Non-food utensils, such as disposable plates or pans, foil, plastic wrap, parchment paper, do not need a hekhsher.
 - r. Alcohol: beer and spirits do not need a hekhsher. However, beer and spirits should be checked to ensure they do not have additives, such as additional flavors.
 - i. Brandy, cognac, vermouth, amaro, grappa, ouzo, arak, sherry, port, and other grape-derived products count as wine, and must have a hekhsher.
 - ii. Many poskim have permitted Scotch that is aged in former sherry casks; such Scotch is permitted at BEKI.
 - iii. Mezcal is permitted, but mezcal con gusano (mezcal with a worm) and mezcal de pechuga are forbidden and not kosher.
 - iv. Home-brewed or home-fermented spirits are permitted if the rabbi has examined the brewing and declared it kosher.
3. The following items do require a hekhsher:
- a. Vinegar (all types)
 - b. All oils other than extra virgin olive oil
 - c. Canned vegetables
 - d. Cheese
 - e. Any prepared, jarred item, such as salsa or tomato sauce
 - f. Juices
 - g. Bread and grain products
 - h. Pasta and pasta-like products (couscous, Israeli couscous)
4. All raw vegetables and fruits must be washed in water; we do not consider it necessary to rinse vegetables in vinegar.
- a. Triple-washed or “thoroughly washed” salad greens do not need to be washed.
 - b. Other leafy greens, which are likely home to bugs, must be submerged in water, swished around, and then drained.
 - c. Herbs, which are even more likely home to bugs, must be submerged in water, swished around, and then drained.
 - d. Fruits and vegetables that might be home to bugs, like asparagus, strawberries, and broccoli, must be washed once in water, as with other vegetables.

5. Processes of kashrut

- a. **Supervision.** Either a BEKI mashgiach, the rabbi, or a knowledgeable person deputized by the rabbi for kiddush operations will:
 - i. Check food brought in to make sure it is acceptable
 - ii. Ensure that the food brought in is sealed
 - iii. Set the ovens before Shabbat
 - iv. Provide on-the-ground support for caterers to understand our kitchen's operation and to provide hashgachah (kashrut supervision) during an event, including ensuring that catering staff do not bring in personal food
- b. **Mistakes and Manners.** Because we rarely serve meat, the likelihood of a person coming *biydei isura* (handling something that is truly forbidden) and causing a substantive kashrut violation is highly unlikely. Instead, a person is more likely to violate a "fence around the law," which is not itself an *isura*. Regardless of what has happened –whether the fence of an *isura* has been violated, and even if an *isura* has been transgressed – there is never justification for anger or shaming. A mashgiach who makes a correction must guard their words, tone, and demeanor carefully and keep far from even the appearance of harshness or shaming.
- c. **Mistakes and Mitigation.** When a mistake has occurred – such as not washing something that should have been washed and seeing it used – the mashgiach should only intervene in the situation if it can be done extremely gently, relying on the following principles as after-the-fact halakhic remedies:
 - i. *Batel ba-rov*: items of treif that are mixed up among kosher items can be considered null if they make up less than $\frac{1}{3}$ of the items. (For example, one can of beans that did not have a hekhsher is mixed into a bean salad with four cans of beans that did have a hekhsher.)
 - ii. *Batel ba-shishim*: a small amount of trayfe that is mixed into a cooked or liquid mixture of kosher items can be considered null if it is less than $\frac{1}{60}$ of the total volume. (The classic example is that a drop of milk splashes into a pot of chicken soup.)
- d. If a pot or utensil is rendered unkosher, it should be set aside until it can be kashered.

Shabbat Policy

Cooking is prohibited on Shabbat. We will not go into all possible domains of this in this policy, but some core points will be enumerated below:

1. For hot coffee on Saturday mornings, we heat water in advance of Shabbat and use it to make instant coffee.
2. Ovens for warming must be turned on before Shabbat.
3. Food that is placed in ovens for warming must already have been cooked.
4. Grinding pepper is prohibited on Shabbat.

5. Foods and beverages to be consumed communally on Shabbat must come to the building prior to Shabbat. Although some could carry these within the Eruv, in order to prevent situations in which one person's transport is considered acceptable and another's isn't, leading to shame, we prevent it in all cases.
6. Programs held on Shabbat after services that involve food must:
 - a. Have all food brought to the synagogue before Shabbat;
 - b. Have all cooked food cooked before Shabbat;
 - c. Serve all food either cold, or reheated from the already-turned on ovens;
 - d. A BEKI mashgiach present.

Pesach

Passover rules are far more stringent than regular Kashrut rules.

PESACH

Passover rules are far more stringent than regular Kashrut rules. Only the basics are listed here.

1. All hametz in the building must be boxed up and stored so that it cannot be seen.
2. The rabbi will sell all the hametz in the building for the duration of the Passover holiday.
3. No hametz may be brought into the building except to accommodate the needs of staff as per the *mara d'atra*.
4. The regular (downstairs) kitchen is closed and locked – sold – for the holiday.
5. The upstairs kitchen is kashered:
 1. Everything is thoroughly cleaned, including the refrigerator (see below), cabinets (interior and exterior), and sink
 2. The sink and countertops are kashered by having boiling water poured over them, a process called *irui*
 3. Tables and any other surfaces not kashered with *irui* are covered with tablecloths or contact paper
 4. The dumb-waiter is closed
 5. The refrigerator and freezer are emptied and wiped thoroughly with a solution of water and mild dishwashing soap, and then rinsed
 1. Unopened food that is acceptable for Passover can remain in the refrigerator.
 6. A new hand-washing cup is used for the holiday
 7. New kiddush cups are used for the holiday
6. For the *Siyyum Bekhorim* (the celebratory morning meal on erev Pesach, when hametz is still permissible), food is eaten outside of the building, and leftovers are burned.
7. Any food brought into the building during Passover must bear a Kosher for Passover hekhsher, except for the few exceptions listed in the Rabbinical Assembly's annual Passover Guide as permissible without a KLP hekhsher *if bought before the holiday*.
8. BEKI follows traditional Ashkenazic practice and does not serve *kitniyot* publicly. Note, however, that eating kitniyot is allowed and that using kitniyot on kosher l'pesach

utensils does not affect their KLP status. Consult the rabbi with any questions about kitniyot.