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ליקוטי ופסקי הלכות "חוקי היום"

משנכנס אדר מרבין בשמחה...



שע"י "חדר הוראה" שכונת מנחת יצחק פעיה"ק ירושלם תובב"א - בראשות הרב חיים אהרן בלייער שליט"א

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 Krias HaTorah

Hechsherim – 2

Parshas Pekudei 5782

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Some Principles about the Levels of Hechsherim

1. There are many kashrus agencies in Klal Yisroel that oversee all sorts of food products and eateries with varying levels of kashrus – some more reliable, others less so. For various reasons, there is lots of confusion surrounding this topic. Although it is obviously unrealistic to list the different hechsherim by name [otherwise this might be the last issue...], we will try to shed some light on this delicate topic in a general sense to help people understand a bit more about the matter.

Identifying the Level of a Hechsher

2. There are a few main components in gauging the level of the various hechsherim. With these, one can get a picture and an understanding of the kashrus level of a given agency. There are three primary components: Who is the rav hamachshir? To whom do they give a hechsher? And what is the nature and character of the consumers of the food?
 3. **Who is the rav?** A rav who gives a hechsher must be a talmid chacham with abundant yiras Shomayim who is an expert in the relevant halachos. He must also understand the technical and practical aspects of the food industry and be fluent in Shulchan Aruch [including the fifth section... which only helps when it comes after the first four sections (הגר"פ ברויאר)].
 4. **What type of person do they serve?** Generally speaking, the kashrus level of a supervising agency is based on the demand of the community it serves. Hence, one can usually get a picture of the level of a kashrus agency by knowing the background of most of the people served by the agency. For example, if most of the consumers are religious but not meticulously so, the kashrus agency serving them will, on the whole, ensure that they are eating kosher on a minimal level since there is no demand for more than that.
 5. Therefore, if a mostly secular or minimally religious city or council offers a hechsher from the city rav or the local authorities, even if the city rav is known as someone who is meticulous on major and minor matters alike, that does not necessarily mean the products under his hashgachah are suitable for someone meticulous about mitzvos, as there is no demand from the people for a strict hechsher. These hechsherim provide a minimal level of kashrus. They rely on many kulos and on lone opinions. The main thing is that the food should adhere to a minimum level of kashrus.
 6. If most of the consumers are very meticulous about everything, then in general, the kashrus agency serving them will run accordingly, and there is a good chance the level of the kashrus is higher.
 7. **Type of people receiving the hechsher.** Also, one must always pay attention to the character and nature of the people receiving the hechsher. For example, when a store run by secular, Shabbos-desecrating Jews receives a hechsher, one must wonder whether they really merit the hechsher and whether they even know at least a few rules about kashrus and the like. Even if there is a mashgiach who comes and goes, that does not solve serious shortcomings and questions that can arise. When a storeowner is not Torah observant and there is not a constant mashgiach, it raises serious questions about the entire hashgachah, as a high-level hashgachah will not grant a hechsher under such circumstances.

8. **Remote hechsher.** If, in a city with a sizable Jewish population and many excellent hechsherim, a company uses a hechsher from another country or a faraway location to supervise its products, that is a major question mark. Why didn't they get a local hashgachah? There is usually a good reason, and it does not cast a positive light on the hashgachah at all.
9. **Pitfalls, mistakes.** In all types of hechsherim, even the best ones, pitfalls and mistakes sometimes occur. If a kashrus agency says it has never made mistakes, it has no credibility; it is certainly forbidden to eat the food. A high-level hechsher will be on the lookout and always work responsibly and faithfully to minimize incidents of error. They will search for new ways to prevent forgeries and mistakes that can get past the system. A low-level hechsher, on the other hand, will only look for basic issues; for anything beyond that, they will suffice by saying, "Hashem, Who is merciful, atones for sins."

Local Authorities

10. There are many local government run authorities in Eretz Yisroel that grant hechsherim. In practice, their main purpose is to ensure that the general public eats kosher since that is what most of the population wants, but there are many stripes and types within the population, and unfortunately, most are fine with the minimum and not interested in high-level kashrus. The authorities generally focus on the needs of the majority, so they provide a basic, minimal level of kashrus. But that is certainly not good enough for someone who keeps Torah and mitzvos with halachic precision, whether a resident of Eretz Yisroel or a visitor from Chutz La'aretz.

Visitors from Chutz La'aretz

11. **Staying at hotels.** Many charedi tourists from Chutz La'aretz come to visit Eretz Yisroel for yamim tovim and throughout the year. For convenience, they stay at various hotels throughout the country – including the fanciest ones in Yerushalayim – which, for the most part, rely on insufficient and substandard local hechsherim compared to what they are used to in their hometowns and what befits a G-d-fearing Jew. This is especially true this year, as the authorities rely on questionable shemitah kulos.
12. This is probably due to lack of knowledge. They think everything in Eretz Yisroel is kosher and under strict supervision. This is far from true. It might also be due to necessity: they must be in a hotel and they must eat.
13. Even when hotels claim to use meat with a top hechsher, one cannot rely on that. When all is said and done, the responsibility for the kashrus lies with the supervising kashrus managers, and they do not specifically require the meat to have a top hechsher. In practice, when there is a shortage of top-hechsher meat, they will use regular meat; they certainly will not leave the guests without meat. All of this is aside from common shailos in hotels regarding bishul akum and checking for bugs in the absence of the mashgiach at sensitive times, e.g., early in the morning before the beginning of breakfast preparations, etc.
14. **"I spoke to the mashgiach."** There is a phenomenon among people who stay in hotels and eat at restaurants under local hashgachos in which they say, "I spoke to the mashgiach and it's okay." First of all, did their conversation consist of more than "Good morning"? Moreover, is it possible to rely on the mashgiach after a few minutes of acquaintance? One way to test this is by asking, if the mashgiach would ask to borrow \$100, would you trust him? And if not, how can you rely on him for kashrus after just seeing him and exchanging a few words? Guarding the Torah and its mitzvos is worth much more than this sum.

15. Even if one trusts the mashgiach and knows him to be fully Torah observant, that only helps for the activity on site, under his watch. The mashgiach cannot know or testify about what happens before the product comes into his domain. His presence does not help verify the quality of the shechitah, treifos inspections, separation of terumos and maasros, and the like, as these happen well before the final product comes before the mashgiach.
16. **Hosting relatives.** There is another phenomenon in which people come from Chutz La'aretz and generously invite their relatives and friends to eat at a restaurant or hotel with a low-level hashgachah without realizing that the local charedi community of bnei Torah do not rely on that hashgachah. The local rabbanim then get shailos whether it is permissible bed'eved to eat in such places if one's relatives who invited him will be disappointed if he declines.
17. **Recommendation.** Thus, a request and recommendation to all the grandparents, uncles, aunts, siblings, and cousins who want to honor their relatives in yeshiva or seminary with an invitation: also honor their wishes for a meticulous halachic standard and the level of kashrus they are accustomed to. They should not need to lower their standards for the benefit of their hosts. Before deciding on a place to eat, first ask the guests where they would like to eat so the setup will be ideal for them too. Then you can pamper them in gashmiyus without harming their ruchniyus.

Reason for Establishing a Hechsher

18. Another important point to help determine the level of a hechsher is understanding the main behind-the-scenes reason and motivation for the establishment of the kashrus agency in the first place.
19. **For kashrus.** The main motivation for establishing a kashrus agency should be to benefit the public by enabling people to eat food of the highest-level kashrus. It should be done with care to create a high-level kashrus body that oversees kashrus matters, big and small alike. Only with a goal like this is there a chance that the level of kashrus is indeed on a high level, thus fully embodying its goal, with siyata d'Shemaya.
20. Therefore, if a city has no organized kashrus system or just a basic one, it is incumbent on G-d-fearing rabbanim to fill the void by establishing a body to oversee kashrus matters in the city and providing high-level kashrus services for the community. They must maintain, to the best of their ability, a level that satisfies the needs of the G-d-fearing, righteous community.
21. **For another purpose.** However, if a kashrus organization is established for reasons other than kashrus, the level of kashrus will likely be compromised. Two examples: when a rav or kashrus association establishes a kashrus body purely for monetary gain; or if there is already an excellent kashrus body but people decide not to rely on it because it has a different hashkafah etc. and they establish a new kashrus association.

Consumers Turn a Blind Eye

22. One of the problems in kashrus from the side of the general public is that many people have a natural tendency to rely on a hechsher even when they know it is not that great. They prefer to ignore the known reality than to take responsibility and exercise caution. There are multiple possible reasons for this.
23. **Convenience.** Sometimes, it is for convenience's sake, e.g., when one buys from a nearby store or wants to eat at a specific high-end restaurant. People rationalize that *at the end of the day, it's "kosher,"* as it says on the stamp or certificate.
24. **Cheaper.** People sometimes allow themselves to eat a low-level hechsher due to its lower price. Generally, products with a high-level hechsher cost more, simply because hiring more mashgichim and staff to oversee a product costs more. Unfortunately, a person's money is sometimes more important to him than his neshamah.
25. **Physical and spiritual health.** But the community at large should be urged and encouraged to stick to only the best hashgachos, despite the higher cost. A person who is sick, וְהוּרָה, will spend lots of money to get the best doctor in the field and to obtain various medicines and vitamins for his physical health. Similarly, one should spare his neshamah the spiritual harm and obstruction (כַּמְבוּאָר בַּגְּמ' חוֹלֵין דָּף ה') (ע"ב ובתוס' לע"ב ובוטוס') that comes from even the possibility of eating forbidden foods, even if it costs more money.

Anyone with a brain in his head will view forbidden foods as poison or as food with poisonous matter mixed in. If this were the case, would a person allow himself to eat it if some sort of concern – even a small one – remained? Certainly he would not! And if he would, he would be considered a total fool. As we already explained, forbidden foods are also literal poison for the heart and soul. If so, which intelligent person would be lenient in a situation of possible issue? (מסילת ישרים פ"א)



What Does the Hashgachah Cover?

26. Even with an excellent hashgachah, one must be aware of what the hashgachah actually covers and how far it goes. We will give some examples:

Deliveries

27. Usually, a kashrus agency's hashgachah only covers items in the store. Once a product leaves the store, e.g., in a delivery, the agency no longer takes responsibility for it. If the deliveryman is a non-Jew or a secular Jew and the product is not properly sealed, there can be kashrus problems.
28. The Badatz Eidah Chareidis states that its hechsher on produce stores, fish, pizza, etc. only covers items sold in stores displaying a valid certificate. Once a product leaves the store though, e.g., in a delivery, it takes no responsibility unless the store has an arrangement with the Badatz for that (מדריך הכשרות תשפ"א עמ' 128).
29. One must be extremely careful about this with chains of stores that sell identical products, e.g., pizza, when one has a high-level hechsher and another has a low-level one. When ordering, one must find a way to verify that the pizza is not from another branch with a lower hechsher – there are true stories where this has happened.

Meat Shop with Multiple Hechsherim

30. Some stores have open, refrigerated display counters where they sell fresh, unpackaged meat and chicken with different hechsherim on trays or in bags without tamper-free seals on all the cuts. Kashrus organizations do not take any responsibility for these meats; anyone who buys them does so at their own risk. Sometimes the only person behind the counter is a non-Jew, meaning he is the only one supervising the meat.
31. Therefore, if one wants to buy meat like this and there is no mashgiach there, he must make sure to only take cuts of meat and chicken with tamper-free seals and have them sliced in front of him. One should not order them and then pick them up after they have already been cut in his absence.
32. **Ordering by phone.** Similarly, some companies take chicken orders by phone. The customer specifies which hechsher he wants – but there are sometimes other hechsherim available that he does not eat – and the already-cut chicken is delivered to his door. Here, too, one cannot know if he actually received the desired hechsher. Sometimes, the deliveryman is not Torah observant and the chicken does not have a tamper-free seal. One must be careful about all of this.

Catering at Simchahs

33. **Responsibility of the baal simchah.** A baal simcha serving food to a crowd of attendees should be extra careful to only serve top-level kosher food with a hashgachah accepted by all. Even if he personally is more meikel, if he knows that Jews of all stripes will be attending his simchah and expecting food with high-level kashrus, he should verify that everything is on a standard accepted by all.
34. Some catering services are attached to a certain hall that is always under supervision. However, people sometimes hire the caterer for another hall or event without its own hashgachah. The Eidah Chareidis's kashrus department states that its supervision is only on the food in the caterer's kitchen. Once it is transported to another hall, the Eidah does not take responsibility. In such a case, the event is not under Eidah Chareidis supervision; the level of kashrus relies solely on the caterer (מדריך כשרות תשפ"א ח"א עמ' 161).
35. **Mashgiach for event.** To avoid this, one should arrange with the kashrus department to get a mashgiach for the event itself and obtain a signed certificate so that both the food and the event are under the Eidah Chareidis's high-level hashgachah (שם).
36. **Fruit, chocolate platters.** Sometimes, institutions send fancy fruit or chocolate platters to a simchah to express their appreciation, and the platters are placed by the bar at the simchah or wedding [with a request not to open them until the mitzvah tantz that is only sometimes listened to...]. People think that since the event is under a good hashgachah, the platters are also under that hashgachah, but that is not always the case. Therefore, one must check the platters to ascertain whether they are also under a high-level hashgachah.
37. **Shabbos event.** One must also realize that a caterer's hashgachah generally does not take responsibility for hilchos Shabbos issues in the kitchen. Sometimes the waiters are Jewish, sometimes they are not. Thus, attendees must keep an eye on what is happening in the kitchen regarding hilchos Shabbos so that everything is proper from all angles (מדריך כשרות שם).

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