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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

Ha-Rav Shlomo Aviner on...

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Which Kosher Certification is Acceptable?

Question: Is it acceptance to eat food under the kosher certification of the Chief Rabbinate of Israel or should I only eat from Badatz (the certification of the Ultra-Orthodox community)?

Answer: Quite simply, all kosher certification is acceptable, whether it is Mehadrin, Badatz, or the Chief Rabbinate. Any product with any kosher certification is presumed to be acceptable until proven otherwise. We rely on the principle of "chazakah – presumption" based on the Gemara in Niddah (15b) that a Torah scholar "does not allow food to leave his domain without its kashrut being ensured." Sometimes there are differences of opinion, but one needs to prove that something is not kosher. It is true that sometimes there are people who are deceptive. There is a list which is constantly updated on the website of the Kashrut Department of the Chief Rabbinate of Israel. There is, however, a general principle: We must not doubt the kosher certification of Rabbis. It does not matter which Rabbi who gives certification – whether it a Rabbi with a knit-kippah or with a velvet kippah. If we say that it is not kosher, we are saying that this Rabbi is a sinner. He is feeding non-kosher food to the Jewish People! This is a serious accusation. This thought itself is the height of non-kosher thinking. Why would he do this? What is his motivation? He wants to make money? In order to make money he is willing to feed non-kosher food to people?! Making such an accusation against a Torah scholar is a serious transgression. One must be very careful about acting this way.

A young person once called me. "Is this product kosher or not?"

I said. "I don't know. What is written on it?"

He said. "There is a kosher certification."

"If there is kosher certification it is acceptable."

He asked: "Is it acceptable to rely on the kosher certification of this Rabbi?"

I asked: "Why not?"

He said: "I asked Ha-Rav Na'im Eliyahu (brother of Ha-Rav Mordechai Eliyahu, former Sefardic Chief Rabbi of Israel) if it is acceptable to rely of this Rabbi."

"What did he tell you?"

"He said that it is acceptable to rely of this Rabbi."

"Then why are you calling me?"

"Can I rely on Ha-Rav Na'im Eliyahu?"

I said: "If I tell you that you can rely on him, you will have to call someone else to ask if you can rely on me."

"You are right," he said. "I didn't think about that."

This is an impossible situation. All kosher certifications of all Rabbis are therefore acceptable until proven otherwise. I am obviously only referring to Orthodox Rabbis who are particular about the laws of Kashrut.

Question: Nonetheless, perhaps I should be strict and only eat food with the kosher certification of the Ultra-Orthodox?

Answer: May a blessing come to anyone who is strict. The Talmud Yerushalami quoted by the Tosafot in Avodah Zarah (36a) says, however, that one of the conditions of one who is strict is that he does not shame other people and, all the more so, a Torah scholar. The Yerushalami relates a story that a Rabbi once came from Babylonia to Israel. He was strict not to eat a particular type of fat of an animal. The Rabbis of Israel ate it, and he said that he does not eat it. They told him: "You are going to eat it or we will declare you a "zaken mamre – a rebellious elder." This was just an expression since there was no Sanhedrin at the time to make such a declaration. Someone who wants to be strict can be strict about whatever he wants, not necessarily relating to the laws of kashrut. He can be strict about the laws of tzitzit or Shabbat or lashon ha-ra (evil speech) or the Land of Israel or loving other people. Each person can choose to be strict about whatever he wants, but a person must also know where he stands. The Book "Mesillat Yesharim" discusses being strict in "Sha'ar Ha-Perishut – The Gate of Abstinence": A. To separate from any pleasure which is unnecessary in life. B. To act strictly regarding everything in the world. C. To dedicate all of one's time to divine service. I do not know if we are at this level. I am not at this level. A person who wants can be strict, but he must remember the "Vidu'i" (confession) of Rav Nissim Gaon: "For that which you were strict, we were lenient; for that which you were lenient, we were strict." You were strict in the laws of kashrut, but lenient in the laws of

lashon ha-ra. If you want to be strict, you can be strict, but I say that it is more important to be strict in honoring Torah scholars.

There is a story about this concept in Mishnah Berachot at the end of the first chapter. There is a dispute regarding what is the proper position for reciting the Shema. Beit Hillel says that at night one may recite the Shema in any position he wishes: Standing, sitting, reclining, etc..., but Beit Shammai says that one must recite the night-time Shema while reclining since the Torah states "when you lie down." Beit Hillel explains that this is not the meaning of "when you lie down," rather it refers to the time of lying down, i.e. night-time. The Mishnah relates that Rabbi Tarfon once acted strictly like the position of Beit Shammai and recited the night-time Shema while lying down, bandits came and almost killed him. He told this to the other Rabbis and they said to him, "If they would have killed you, you would have deserved it because you violated the opinion of Beit Hillel." A question. Rabbi Tarfon did not violate the opinion of Beit Hillel, since it did not matter to Beit Hillel in which position he recites it. One can recite it sitting, standing, reclining, etc... If Rabbi Tarfon recited the Shema while reclining, how does he violate the opinion of Beit Hillel? The Book "Mesillat Yesharim" (chapter 20 – The chapter on balancing piety) explains that this issue was a major dispute between Beit Hillel and Beit Shammai, and the halachah was finally decided in accordance with Beit Hillel. A great person – Rabbi Tarfon – got up and publicly ruled like Beit Shammai which impinged upon the authority of Beit Hillel. People were saying, "Beit Hillel is lenient in this matter." The damage which he caused by acting this way was greater than the value of reciting the Shema according to Beit Shammai. Therefore, if someone ways to be strict in a matter, it is better to be strict in honoring Torah scholars than in questioning the validity of a kashrut certification.

One time the "eruv" in Tiveria was damaged. The Rav of Tiveria ruled that the "eruv" was kosher. There was a great Torah scholar who lived there and he bumped into the Rav of the city after Shabbat. They talked, the Torah scholar walked him home and they sat and chatted. The Torah scholar said, "Let's learn some Torah." The Rav of the city obviously agreed. The Torah scholar took Massechet Eruvim and they learned. Suddenly, the Rav of the city said, "Oy va-voy! If so, I ruled incorrectly today!" The Torah scholar said, "It appears so." The Rav of the city asked, "Did his honor announce in his shul not to carry on Shabbat?" "No," he responded, "since carrying in this place is a rabbinic prohibition, but honoring a Torah scholar is a Torah mitzvah. I therefore did not say anything." If we say that the kosher certifications which Rabbis provide are not acceptable, this impinges on the honor of Torah scholars. One must therefore be extremely cautious.