

Voice OF THE VAAAD

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We eat with our eyes first. That means beautifully, artfully presented and colorful food is more appetizing. Market strategists¹ have included color as one of the factors that affect consumer purchase behavior, because consumers judge flavor and wellness attributes of food and drink by their colors. According to Emerald Insights², 90% of buyers decide after seeing the color of the product, which is related to its perceived taste, suggesting color brings the flavor to life. Food and drink producers strive to find the perfect color for their products in order to grab the consumer's attention. People have an instant reaction to specific colors, and brands want that reaction to be a positive one. Research has shown that reds, purples and oranges have the highest consumer appeal.

The *Chovos HaLivavos*³ teaches us how recognizing the beauty of the range of colors in Hashem's creations will strengthen our love for Hashem. *Chazal*⁴ teach us that the masterful artist is Hashem, who provides for us a colorful and blooming world⁵. This article will give a brief overview of natural and artificial color additives common in commercial food production, and the kashrus concerns surrounding them. Sensient Technologies

Corporation, a leading global manufacturer and marketer of colors, flavors and fragrances has many of their food grade products under OV – Vaad Hoer of St. Louis kosher certification. Much of the information provided in this article is based on articles they have published⁶.



By way of introduction, there are two basic categories of food coloring: natural and artificial. Natural food coloring may come from vegetable, microbiological, animal or mineral sources. Artificial food colorings are created in the laboratory by chemists (sometimes accidentally). Natural colors for the most part are the products of agriculture⁷. Although primary non-animal colorants are inherently kosher, the isolation of the color from the substance, the extraction process, might be a kashrus concern. In both cases, further downstream processing of colors for their final application might be a kashrus concern as well. This usually entails the dispersion of the color in a diluent in the presence of other ingredients and processing aids such as, an emulsifier, alcohols or spray-dried, all which could compromise the innate kashrus status. Of course, any natural color derived from animal sources is much more of a kashrus concern.

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One common colorant derived from animal sources is carmine. Carmine is a red dye produced by heat-drying cochineal beetles until they are completely dehydrated and subsequently crushed into a powder. The powder is then boiled in an ammonia or sodium carbonate solution. Insoluble matter is filtered out. Alum is added to this solution of carminic acid to precipitate the red pigment⁸.

It is interesting to note that carmine coloring is not a new discovery. In fact, the Torah while discussing the various materials needed for constructing the *Mishkan* mentions *Tola'as Shani*, loosely translated as scarlet dyed wool. Where was this dye found to color the wool with a scarlet tint? The *Noda Be'Yehuda*⁹ explains that it was extracted from the "*kochanilya*", identified as an insect. While use of carmine as a dye for materials in the *Mishkan* is not necessarily proof of its kosher status¹⁰, it is noteworthy that it was used for sacred purposes. The accepted practice among the Kashrus agencies is to not allow carmine extract to be kosher certified. Although there is precedent to permit its use under certain circumstances,¹¹ no reliable kosher agency will certify it¹².

Another common potentially non-kosher natural coloring agent is anthocyanin. Depending on the source of the anthocyanin and their pH level, the resulting color may appear as red, purple or blue. Even though many food plants are rich in anthocyanins, such as blueberries, raspberries, black rice and black soybeans, on the most common sources for anthocyanin is an extract from grape skins. Grape skin extract, properly called enocianina is commonly used to flavor beverages. After juice has been squeezed from the grapes and separated from the pulp, the *halachos* of *stam yeinam* apply¹³, which means the juice and the color extracted are non-kosher. Although technically one could produce kosher anthocyanin from kosher-processed grape skins or other vegetation, much of what is available on the commercial market is not kosher certified.

By 1900, it was common for foods, drugs, and cosmetics available in the U.S. to be artificially colored. However, not all these coloring agents were harmless (some contained lead, arsenic, and mercury). Some were being used to hide inferior or defective foods. In 1906, the Federal government stepped in and Congress passed the United States Food and Drugs Act¹⁴, which prohibited the use of poisonous or harmful colors in confectionery and the coloring of food to conceal damage or inferiority¹⁵.

Over the past number of years warnings have appeared in the press about potential health risks posed by artificially colored foods. The Food Network¹⁶ analyzed some of the most infamously colored foods in an article "Myth or Fact? Artificially-Colored Foods Are Bad for You." They highlighted cheese, mint chocolate chip ice cream, red velvet, and pickles as beloved

foods that are eaten daily, visually enhanced with artificial coloring. While current research remains equivocal about harmful effects of artificial food coloring in humans, what's really driving the movement away from synthetics is consumer demand for natural ingredients. Fortunately, *Hashem* provides us with a broad palette of brilliant natural color sources, ranging from orange cheese to pastel green in mint chocolate chip ice cream and vivid heat-stable reds for all the red velvet goodies. Modern technologies and extraction techniques make the transition to natural colors a bright reality. Although natural ingredients are inherently more complex¹⁷, they are certainly possible.

If you take a walk through a grocery store, you will see more and more products claiming, "No Artificial Ingredients" and "No Artificial Colors."

This is simply because more consumers are demanding that companies use natural coloring, bolstered by the claim that synthetic food dyes pose a health risk, especially in children¹⁸. This just goes to show the movement to "natural" is real and upon us, as consumers continually drives change in our everyday food and drink.

To see one's food in a pleasant setting has halachic significance as well. One of the reasons why we light Shabbos candles by the table, is so that we can see what we are eating¹⁹. *Chazal* teach us that proper *oneg Shabbos* is accomplished when we can see what we are eating. Similarly, the *Gemara*²⁰ teaches that one of the challenges the Jews had with the manna in the desert was that it did not have the visual appearance of what it tasted like, rather it always looked the same. The *Gemara* concludes that it is preferable to eat during the daytime²¹ so that one can see and enjoy their food.

Much of the skill involved in modern food production is unrelated to cuisine, but closely connected to the appearance and coloring of the food. Because not all colors are kosher, we should always consider the kashrus ramifications of the color of the food we eat.



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ASSOCIATION of KASHRUS ORGANIZATIONS

Conference Recap

On July 8-10 the KOF-K hosted the annual Associated Kashrus Organizations' (AKO) Va'adim Conference, at the Renaissance Hotel in Woodbridge, NJ. The conference featured a packed program of enlightening workshops and lectures.

Representatives from Va'adim throughout the USA and beyond, including Australia, Turkey and Israel were in attendance. I

had the opportunity to attend this conference as the representative of the Vaad Hoer of St. Louis. This article provides a brief overview of some of the pertinent classes I attended.

The first main lecture was delivered by Rabbi Daniel Senter, Rabbinic Administrator of Kof-K, together with Rabbi Chaim Loike of the OU. They discussed the common issues that arise in finding potential *treifos* in packaged kosher certified chickens. A key point of their presentation was how to determine when the apparent discoloration of a chicken is indeed a kashrus concern. Their lecture concluded with an interactive live demonstration of various breeds of quails, pigeons and the brakel chicken to explain which birds we consider to be part of our *mesorah*.

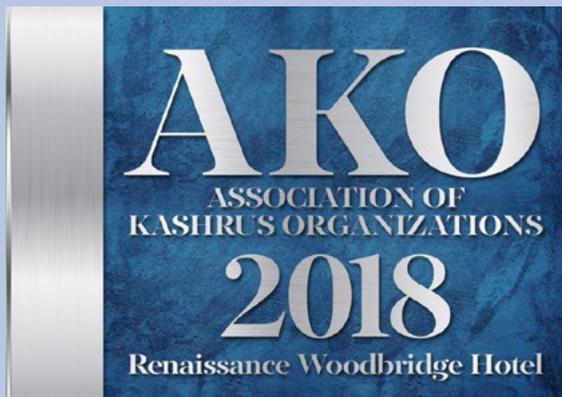
Rabbi Shmuel Fuerst of Chicago spoke next together with Rabbi

Dovid Grossman of the Bais HaVaad, discussing the halachic implications of competing for accounts and employees amongst

kashrus agencies. The evening closed with Rabbi Fuerst leading a roundtable discussion for community Va'adim and their unique halachic challenges. The depth of halachic knowledge of Rabbi Fuerst, as well as many other esteemed kashrus professionals, kept me up quite late that evening.

The next morning after Shachris and a five-star breakfast we were back to the conference room to listen to fascinating presenters and important

topics. The morning included hearing from Rabbi Avrohom Weinrib of the Cincinnati Vaad discussing the necessary training needed to guide a mashgiach. Rabbi Fuerst gave another shiur on proper drafting of a *shtar* for a business, such as a healthcare facility, that needs to be open on *Shabbos*. Mr. Menachem Lubinsky followed with an important discussion on how to



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Lunch Picture with, Rabbi David Cohen - cRc, Rabbi Moshe Gutnick - Australia, Rabbi Yitzchok Yagod - Nova Scotia and Rabbi Yitzchak Kowalsky



Rabbi Yitzchak Kowalsky addressing the conference, Rabbi Sholem Fishbane - AKO executive director, Rabbi David Cohen - cRc, Rabbi Menachem Genack - OU

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1 https://sensientfoodcolors.com/en-us/wp-content/uploads/2017/02/sen17111_case_study_blogv6.pdf
 2 <https://sensientfoodcolors.com/en-us/market-trends/food-color-is-as-important-as-taste/>
 3 Shaar HaBitachon Chapter 5
 4 Brachos 10a
 5 One can also consider the kindness of Hashem is allowing us to have the ability to have the visual capacity to appreciate the abundance of color in creation
 6 <https://sensientfoodcolors.com>
 7 Common examples of naturally extracted dyes include: purple/red from beets or cabbage, green from leafy greens and yellow from turmeric
 8 <https://en.wikipedia.org/wiki/Carmine>
 9 YD MT 3
 10 See Noda Be'Yehuda ibid, cf Rabeinu Bachya Shemos 25:3
 11 See Pischei Teshuva YD 87:20, Darchei Teshuva YD 87:133 & 102:30 and Shu"t Minchas Yitzchak 3:96:2

12 http://www.crcweb.org/kosher_articles/reliability_of_agencies.php
 13 See SA YD 123:17 this is the process called *hamshacha*
 14 Currently the FDA, because of safety considerations, permits only seven synthetic colors although labs can produce considerably more.
 15 <https://www.thespruceeats.com/food-coloring-history-1807601>
 16 <https://sensientfoodcolors.com/en-us/market-trends/myth-or-fact-artificially-colored-foods-are-bad-for-you>
 17 To produce the exact color every time, to please the eyes of the consumer
 18 <http://www.wsfa.com/story/34415607/dangerous-dyes> - Mentioned in this article is a kindergarten-class in Alabama who after learning about food ingredients decided to keep foods with artificial color out of their classroom
 19 See SA OC 273:7 and MB there
 20 Yoma 74b
 21 See Maharsha there who says nighttime with ample lighting is the equivalent

AKO Conference Recap *Continued from p. 3*

manage a crisis in a Vaad. Rabbi Doniel Neustadt, Rabbi Shmuel Meir Katz, Rabbi Zev Smith, Rabbi Moshe Chaim Kahan gave shiurim on numerous kashrus-related



Attendees at AKO Convention July 2018

topics, which was followed by an open Q&A session with many Rabbonim. Rabbi Shimon Adler of the Vaad of the Five Towns (NY) presented a fascinating PowerPoint about the benefits of using AI (artificial intelligence) with video surveillance equipment to help increase the level of supervision in restaurants. The evening wrapped up with a powerful *hashkafic shmuz* from Rabbi Simcha Bunim Cohen, discussing the importance of remembering that we are a holy nation because of the appropriate kashrus of the food we eat.

The next day it was back to the conference room for continued opportunities to glean from the experts in the field. Rabbi Berel Bell of Montreal discussed the halachic requirements for disclosing our standards to consumers. Rabbi Shmuli Weiner

from ZNT Kosher in Israel followed by discussing the challenge of understanding the standards of kashrus in Israeli *hashgachos*. The morning continued

with a presentation by Rabbi Sholom Tendler together with Mr. Mordechai Biser Esq. discussing what to do when certifying an event whose non-halachic elements conflict with our religious beliefs. I had the chance as well to address the crowd. I discussed the ongoing legal battle we are struggling with to stop fraudulent use of our OV symbol to connote veganism. I concluded by announcing that a modification to our logo will be forthcoming soon. The day continued with practical lessons in kashering techniques and bug checking workshops.

It is difficult to sum up the amazing opportunities I was able to gain from attending the AKO Vaadim conference. Suffice it to say that the wealth of information gained will be adequate to carry me over until the next one.

HALACHA CORNER

Q. I enjoy salmon; but recently found out that shrimp are their favorite meal. We buy wild salmon, frozen farm-raised, and canned sockeye salmon. The wild and the sockeye salmon most certainly consume shrimp. I don't know what the farm-raised salmon are fed. When a salmon eats *treif* food, is it still kosher?

A. The salmon is still kosher. The *Rema* (YD 60:1) codifies an interesting ruling which states, "An animal which was fattened with forbidden foods is permissible. However, if its entire diet consists of forbidden foods it is forbidden to consume it." This would seem to indicate that if we would ascertain that salmon ate nothing but shrimp, they would be prohibited. However, the *Shach* (ad loc:5) discusses at length whether the *Rema* meant to prohibit only food items which we are prohibited to have any benefit from, i.e. foods that were produced from vegetation that was used for idolatrous practices. The *Chochmas Adam* (26:14)



concludes that one needs to follow the *Rema's* strict ruling only in a case where the animal was fed items that we are prohibited having benefit from. Therefore, because we assume that shrimp eaten by salmon are not used for idol worship, salmon is permitted. (cf. *Kaf HaChaim* YD 60:11-13)

Q. I cut an onion with a clean *fleisheg* knife that has not been used in 24 hours. I then inadvertently put the onion into my pareve food processor. Is my food processor now considered *fleisheg*?

A. B'dieved the food processor is still pareve. This is based on the ruling of the *Nishmas Adam* (Hilchos Pesach #24), see there for further details. However, in a case where the knife was not known to be clean or had been used to cut hot meat in the past 24 hours, the food processor would be considered *fleisheg*.