

Kosher Foods

Kosher market – Religious Backgrounds – Certification



Many foods, beverages and dishes possessed and still possess a deep significance in many religions, which is why they are frequently subject to more or less intensive rules and regulations. Probably the most precise and strictest food-related regulations are to be found in Judaism, where the sacral and the secular are closely linked. Food which Jews are allowed to eat according to the Jewish dietary laws are described as “kosher”, which means “pure” or “suitable”, and this concept does not apply only to the actual foods.

Spread of Judaism

It is generally difficult to draw up reliable statistics for religions, but the statistical survey of the Jewish people appears to represent a particular challenge. This is attributed partly to imprecision on the basis of estimations with non-verifiable statements, to mixed marriages, second residences and real estate possession by Jews, to the lack of fixation on one place and to the lack of agreement regarding the definition of “Jew”. Some ultra-orthodox Jews also impede all data surveys, as they classify censuses as a sin according to 2. *Samuel 24* (11). Against this background the “Jewish Agency” reported that on the eve of the Jewish New Year festival “*Rosh Hashanah*” (29.09.2008), there were 13.3 million Jews worldwide (7). 5.5 million of these lived in Israel, so that for the first time more Jews were living there than in the USA, where the population was announced on the cut-off date as 5.3 million. The USA is followed by France with 490,000, Canada with 375,000, the United Kingdom with 295,000, Russia with 215,000 and Argentina with 183,000 Jews. Next in the table come Germany with 120,000 Jews, Australia with 107,000 and Brazil with 96,000. The smallest Jewish community was found in Afghanistan – it consists of just one person (8). Viewed globally, the number of Jews had increased slightly by comparison with the preceding year, but much more slowly than the overall world population. Related to the world population, Jews account for a share of about 0.2 percent.

Information about the kosher market

There are basically no verifiable figures regarding the global market volume of kosher-produced foods. However, a glance at the US American kosher market shows interesting aspects. According to the market research company Mintel, sales of kosher foods in the USA reached a volume of US\$ 12.5 billion in the year 2008 (4). However, this is only a small share of the total food market. Of the annual food sales reported as totalling about US\$ 500 billion, sales of kosher foods account for about US\$ 200 billion, i.e. about 40 % (5). Between 2003 and 2008 these showed an annual growth rate of 12.5 % and represented the fastest growing sector in the US food industry. To remain objective, it must be pointed out however that in many cases these foods consisted of the first certification of already existing products (6).

At present around 16,000 companies in the USA sell kosher-certified foods. Their number today is stated as about 110,000 products – and around 3,000 more are added every year. In this connection, however, two further details are interesting. Consumers of kosher foods spend on average 47 % more for foods than consumers of non-kosher foods. And in supermarkets, kosher products with the same shelf placement sell 20 % better than non-kosher products of competitors (13). For an answer to the question of how this evident discrepancy can be explained, reference is made to the final section of this article.

Religious background

Judaism is the oldest of the “Abrahamic” religions, those monotheistic religions that trace their history back to Abraham (2000 – 1800 BC), the father of the Israelite tribes (*Torah, Gen 12, 1-3*), or Ibrahim of the Koran and his god.

The basis of Judaism is the *Torah* (= instruction, also called the “Written Torah”) with the *rabbinical writings* explaining this, which are partly also known as the “oral Torah” or “*Talmud*”. The Torah in turn forms the first part of the *Tanakh*, the Hebrew Bible and consists of the five *Books of Moses*, which according to the Torah were given to the people of Israel on Mount Sinai.

The Talmud itself contains no legal texts, but points up how the rules of the Torah should be implemented in practical everyday life. It also consists of two parts, namely the older *Mishna* and the more recent *Gemara*.

The body of rules and prohibitions in the oral and written tradition, representing the entire legal system of Judaism, is termed *Halakha*. This reflects the different opinions of the rabbis and the scholars, so that it has been subject to constant change in the course of its history. The Halakha addresses rules of behaviour concerning all aspects of the life of the faithful – there is no division between the secular and the religious.

One of the pillars of the Halakha is the *Kashrut*. This is the body of religious law governing the preparation and consumption of foods and beverages. According to the *Kashrut*, foods are divided into those that are fit for consumption, described as “kosher” and those that are unfit for consumption, described as “treife” or “non-kosher”. In the perception of the Jews, observance of the 613 divine commandments, of which at least 50 deal with table manners, leads to harmony between body and soul. The way in which Jews deal with the Kashrut today varies widely and ranges from stringent observance by Orthodox Jews to complete disregard by secular Jews.

Three aspects are considered to be fundamental in the kashrut:

1. The distinction between permitted and forbidden animals.
2. The absolute prohibition of consuming blood.
3. The division into “meat”, “dairy” and “neutral” foods.

In the Jewish perception, the kitchen is not only a place in which meals are prepared. Rather, it is the spiritual centre of the household and observance of the dietary laws is an act of sanctifying everyday life. By satisfying the divine commandments (the *Mizvot*), an everyday and normal activity such as preparing meals is thus raised to the level of service to God. The table in the kitchen practically becomes the altar. As a consequence, the role of the Kashrut is to bridge the dualism between the physical and the spiritual, between the every day and the hallowed.

Permitted and forbidden animals

In the Third Book of Moses, distinctions are made in various places between animals that are kosher and which may therefore be eaten, and those that are not kosher and therefore may not be eaten.

Only those mammals that possess both kosher features are kosher, in other words animals that have cloven hooves and are also ruminants. This applies for example for cows, goats and sheep, but not for pigs, horses, camels or rabbits. The birds that are clearly forbidden in the Torah include birds of prey. It is more difficult to assess other birds, so that today only those that earlier generations of Jewish communities ate are considered to be kosher. These are chicken, turkey, ducks, geese, swans, doves and quails. As regards aquatic life, only fish that with both fins and scales are allowed. All other seafood such as lobsters, crawfish, mussels, squid and snails, as well as amphibians is forbidden. According to the Halakha rule, “the produce of clean animals is clean” the roe of kosher fish is kosher, while the roe of non-kosher fish is forbidden (9).

However, kosher animals (with the exception of fish) may be eaten only when they have been ritually slaughtered in accordance with the Jewish food laws.

Ritual slaughtering is an unalterable religious rule of Judaism that is attributable to an instruction in Moses Book 5, Chapter 12, Verse 21, “...*thou shalt kill of thy herds and of thy flock, which the Lord hath given thee, as I have commanded thee ...*”. This type of slaughtering – ritual slaughtering (Hebrew: *shechita*) is described in detail in the Talmud and the subsequent rabbinical codices. According to these, ritual slaughtering comprises a single cut across the throat to sever the carotid artery, trachea and oesophagus, as a consequence of which the animal quickly bleeds to death without suffering. The cut must be made with an extremely sharp knife absolutely free of ridges, without the slightest interruption and in a single movement (1).

Prior to ritual slaughtering, the slaughterer (*shochet*) is required to speak a blessing and must also examine the knife extremely carefully for any nicks and dents after slaughtering. If the blade shows any gaps, the meat loses its kosher character and is no longer suitable for consumption. The actual ritual slaughtering may only be carried out by family fathers who have been trained and examined in theory and in practice and who are deserving of trust and confidence on the grounds of their entire religious and ethical conduct (1).

Ban on the consumption of blood

According to the biblical concept, blood is the seat of the soul, which is why it may not be consumed as a matter of principle. “*Because the life of the flesh is in the blood; and I have given it to you, that you may make atonement with it upon the altar for your souls*” (Lev. 17,11) and Dt.12,23 states “*thou must not eat the soul with the flesh*”. Rabbinical Judaism has drawn wide-ranging rules for the slaughtering, treatment and preparation of meat from various places in the Torah. The animals have to be ritually slaughtered for the blood to flow out of the carcass as completely as possible after slaughtering. However, this is not enough. Before further use or preparation, the meat must be watered, salted and rinsed so that any blood adhering to the meat is removed as far as possible.

Meaty – parve – dairy

The Kashrut demands strict separation in space and time between dishes that contain meat and are termed “meaty” (Hebrew: *basari*) and those that contain milk and are termed “dairy” (Hebrew: *chalavi*). Products that contain neither meat nor milk are described as “neutral” (Hebrew: *parve*). Neutral foods can be eaten together with both dairy dishes and meaty dishes. The ban applies not only for the actual meat and milk, but also for all products made out of them or obtained from them, such as for example gelatines, fats, milk powder or milk sugar.

The background to the ban on mixing meat and milk is the sentence mentioned three times, “*You shall not boil a kid in its mother's milk.*” in Ex 23,19 and 34,26 and in Dt 14,12. This threefold statement is interpreted by rabbis as three independent prohibitions, in other words the prohibition of eating, using and cooking milk products together with meat.

In practice this not only means a ban on mixing meat and milk when producing foods or preparing them in the kitchen. In addition it is also necessary to observe waiting times (about six hours) after eating meat or (about half an hour) after eating dairy products before food of the other variety may be eaten. The separation must be observed for machines and

equipment too, so that orthodox families also have two separate kitchens with corresponding cutlery and crockery in order to be absolutely certain that they observe the separation.

Plant-based foods

“And God said: Behold, I have given you every herb bearing seed upon the earth, and all trees that have in themselves seed of their own kind, to be your meat.” (Gen 1, 29). With reference to this verse in the Torah, plant-based foods (fruit, vegetables and cereals) are generally considered to be kosher and parve. In the case of corresponding foods from Israel, however, it should additionally be observed that they should not originate from the Sabbath year (every seventh year), as the soil may then not be tilled and must be allowed to recover. Grapes and foods made from them, in particular wine, take on a special role. In this regard see the section “Alcohol – wine”.

In practice, fruits are often given a coating or wax layer to improve stability and appearance, as well as to protect them against drying out and pest infestation. This coating can comprise non-kosher constituents (e.g. shellac, prohibited fats), so that the respective product is then no longer kosher.

As insects (special case: locusts) and worms may not be eaten, fruits and vegetables, but also e.g. flour, must be examined carefully for worms and insects before eating.

Pure herbs and spices are plant constituents and therefore generally kosher and parve. In their fresh form, they must also be examined for freedom from insects and worms before eating. If insects are by chance dried together with herbs and spices, according to Halakha they are no longer considered as insects but instead as filth and are therefore no longer considered to be forbidden.

While drying of herbs and spices in the sun is generally considered unproblematic in the countries of origin, in the case of industrial drying, especially with freeze drying, it must be ensured that no non-kosher products were dried in the facility – if appropriate, they must be purified accordingly (2).

Alcohol – wine

As a matter of principle Jews are allowed to consume alcohol, so that alcoholic beverages are kosher. However, a special situation arises with wines and all beverages made from fermented grapes, e.g. must, champagne and cognac. These beverages are only kosher if the grapes were harvested and processed under supervision. The background here is that wine from grapes had a ritual significance in other religions, so that there was therefore a fundamental risk that it was used within the context of idolatry. In order to rule out this risk, wine can only be certified as kosher if it is made from grapes produced in kosher manner, supervised by Jews commissioned for this purpose. The same applies for all products made from grapes, e.g. grape juice, foods that contain grape juice or wine, wine vinegar and substances extracted from grapes such as grape anthocyanins, tartaric acid or alcohol.

The kosher production of grapes presupposes that various rules are observed. For example, no fruit or vegetables may grow between the vines in vineyards. Grapes from new plantings may only be processed to make wine in the fourth year after planting. No organic fertilizer may be used during the last two months before harvesting. Every seven years, i.e. in the Sabbath year, the fields and vineyards must rest for organic regeneration (*shmittah*), which is why the grapes from that year may not be used for wine production.

A number of regulations must be observed in the wine-making cellars too, and this must be monitored by trained rabbis. One of these regulations is that only male Jews who observe the Sabbath are allowed to work in wine production. All production facilities and tools used must be cleaned intensively and sterilized so that the wine is not polluted by foreign bodies. Only kosher substances of non-animal origin, such as bentonite and paper filters, may be used for clarifying and filtering. The use of enzymes and starter cultures is not allowed. And not least, the maaser ceremony must be carried out, i.e. 1% of the total production quantity must be destroyed, in remembrance of the time of the first and second Temples, when one tenth (tithe) had to be given to the high priests.

According to the Kashrut laws, opened wine touched by a non-Jew loses its purity, i.e. its kosher properties. This is not the case with *Mevushal* wine – this is wine that has been briefly boiled (80 – 90 °C). As boiled wine used to be considered unsuitable for sacrifice rituals, it could no longer be blessed in the name of a non-Jewish god either, and so it remained correspondingly pure. However, an originally non-kosher wine cannot be turned into a kosher wine by boiling. *Mevushal* wines generally taste rather different than their non-boiled counterparts and are a little darker and more turbid.

Kosher for Pessach (Passover)

The Pessach festival that commemorates the exodus of the Israelites from Egypt and thus from Egyptian slavery is one of the most important festivals in the Jewish calendar. It is celebrated as a family festival with various rites in the week of 15th to 22nd *Nisan*, in Israel up to the 21st *Nisan* (first week of the religious calendar;

according to the Gregorian calendar in mid-March). It includes the one-week consumption of matzos, which is why the festival is also termed the “Festival of unleavened bread”.

At the Pessach festival, not only sourdough bread but also all other foods that can “rise” are prohibited. This applies to all grain products such as bread, bakery products, flour, grain starches and beverages made from cereals, such as beer or whisky, as well as all foods that have entered into contact with one of these products. Products containing pulses, rice, maize or soya, as well as foods that have come into contact with these, are only conditionally allowed for the Pessach week and therefore have to be labelled as such.

Machinery and equipment that enters into contact with the products during Passover production and packaging must be cleaned under the supervision of rabbis before production is started. Kosher-for-Passover products are labelled separately as such.

Theological rationale for the dietary laws

Consideration of the destruction of the Jerusalem Temple in the year 587 BC and the following exile in Babylon (up to 539 BC) as a divine judgement led to reflection on above all three crucial basic biblical commandments. The observance of the Seventh Day as a day of complete rest, circumcision and the dietary laws were not intended only to distinguish Israel in customs and way of life from its surroundings, but above all to serve as guarantees for Israel's own existence. Observance of these commandments created the framework which gave later Judaism the possibility of satisfying its mandate as the chosen and of facilitating its survival in history (10).

In the course of time, attempts were repeatedly undertaken to find explanations for the dietary laws. For example, the religious philosopher *Moses Maimonides* (1135/1138 – 1204) saw a way of overcoming his desire in these rules. Desire to eat should not be considered as a purpose of human existence. Furthermore, in his opinion all the dishes prohibited in the Torah had a poor or detrimental effect on the human body (10).

The insight that the forbidden dishes are harmful not to the body, but instead much more to the soul is attributable to Nachmanides (1194 – 1270). According to him, consumption of blood accustoms people to cruelty and promotes murderous, destructive customs.

Clean and unclean always have a spiritual or moral significance in Judaism. The Hebrew word “*tameh*” = “unclean” always means a condition of moral or religious impurity which has a negative influence on people's soul or character. As a result of this, kosher does not relate to hygiene or medical purity, but instead to spiritual purity. Food that is kosher is thus not only intended to nourish the body physically – it should also enable spiritual purity of body, spirit and soul of the Jew (12).

The rules of the kashrut cannot be considered detached from all other laws in Judaism, as they all pursue the same goal of distinguishing between clean and unclean, between what is right and what is wrong, between the profane and the sacred, in order to raise life to a higher, transcendental level (12).

Kosher certification

In order to be certain that a purchased food is kosher and thus complies with Jewish dietary laws, corresponding certifications known as *hechsharim* have become established in recent decades. The certification is affixed like a seal to the packages in Israel and in the USA, or it may be displayed in appropriate stores such as bakeries and butchers. In countries such as Germany details of the corresponding foods are combined and published in an official list.

The supervision of religious regulations is carried out by a *Mashgiach* and a rabbinate is responsible. Hechsharim, in other words certificates, are awarded by a large number of rabbinates and may compete with each other. In order to obtain a certificate, the following conditions (summarized) must be satisfied:

- A list of all the ingredients and their suppliers must be presented to the certifier.
- All ingredients must possess the kosher certificate.
- The responsible rabbi should inspect the production facility.

In the case foods that are to be exported to Israel, only the Chief Rabbinate of Israel or the European rabbis accredited to it are authorized to issue certificates. In special cases this can also be done by the ultra-orthodox kashrut organization Badatz, or the rabbis accredited with it, who issue “Super-kosher Certificates”.

Kosher foods – not only interesting for Jews

On the basis of the religious background and the specific Jewish dietary laws discussed here, the discrepancy mentioned above between the actual market for kosher foods and their real production can now be explained. Kosher-certified foods are namely not only interesting for Jews, but also for many other consumers (5). These include Muslims, whose dietary laws show many areas of overlap with those of Jews. As the Jewish dietary laws are essentially stricter than those of Muslims, Muslims can purchase many kosher products if no halal foods are available. Another group of frequent kosher shoppers are vegetarians. They can be sure

as a result of the strict separation between “dairy” and “meaty” products as well as with foods labelled “neutral” that they are only buying products which correspond to their philosophy. For the same reason, however, consumers with lactose intolerance also frequently purchase kosher products, as they can be certain that they are buying products which really are free of lactose. Ultimately, foods that are certified as kosher are produced under the supervision of a Kosher Agency, in some cases even of a rabbi, and therefore have necessarily passed many checks and complied with many rules in order to ensure their kosher status. It is therefore no surprise that in the USA the seal “kosher” is in many ways considered to be a quality seal which promises a higher degree of food safety than State specifications and controls can guarantee.

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