

ספירימ

סיוע לציבור, פסקי הלכה, רכיבים, מארעות ומדע
Updates for the cRc Kashrus Professional

COMMUNITY **Consumer Pesach Questions & Answers**

The following questions were posed to the cRc by consumers in the weeks leading up to Pesach 5768/2008. This document does not include questions which are answered in the cRc Pesach Guide 2008.

1. Why is one permitted to serve *kitnios* to a pet on *Pesach*?

Ashkenazim have a custom to not eat *kitnios*, but are permitted to own and benefit from *kitnios*.¹

2. May a non-Jew be invited over to eat a meal on *Yom Tov*?

No. On *Yom Tov*, one may cook (and do certain other *melachos*) for a Jew, but it is forbidden to do *melacha* for a non-Jew. Therefore, *Chazal* forbade one from inviting a non-Jew to eat at one's house on *Yom Tov* even if the food is all cooked from before *Yom Tov*, because they were afraid the host might forget himself and cook something for the non-Jewish guest.² [This prohibition does not apply on *Shabbos* when Jews are not permitted to cook for anyone and are not likely to mistakenly cook for a guest].

3. Can I use a chewable *contraceptive* pill such as Femcon FE?

Femcon FE contains ingredients which are likely *kitnios* or innocuous but may be *chametz* (maltodextrin, sodium starch glycolate and spearmint flavor), and contains other ingredients which may be non-kosher (lactose and magnesium stearate). Since the pill is chewable it is considered "edible"; therefore, we cannot recommend such pills for *Pesach* or even for year round use (even if you swallow the chewable pill), and the best choice would be to have your doctor prescribe an alternative non-chewable contraceptive. If that poses a particular difficulty for you, you might want to discuss the issue with your Rabbi and doctor. It is worth noting that it may be possible to avoid the issue of taking the chewable pills on *Pesach*

by scheduling the "off" week (i.e. brown pills) for the week of *Pesach*.

4. I've been *told* that the spits/poles/skewers in a rotisserie oven can be *kasher*ed with *libun kal* from kosher meat to pareve. If so, can I do the same when *kasher*ing from *chametz* to *Pesach*, since *chametz* is also kosher?

No, *libun gamur* is required to *kasher* the skewers from *chametz* use for *Pesach*, because the halacha is that *chametz* is viewed as being "issurah" as relates to *Pesach* (while kosher meat is considered "hetairah").³ [The rest of the rotisserie chamber, can be *kasher*ed with *libun kal* regardless of whether it was used for kosher, non-kosher, *chametz* or anything else].

5. I was *surprised* to see that the cRc shopping guide lists a few varieties of anise (caraway, cumin, coriander, dill and fennel) as *kitnios*. Can you explain to me why that is the case?

Rema 453:1 rules that anise and coriander are not *kitnios*. Some of the later *Poskim*⁴ basically accept this *psak* but suggest that these spices be checked carefully to make sure none of the five grains are mixed into them. Other *Poskim*⁵ take a stricter approach and hold that one should avoid these spices since it is so difficult to check whether grains are mixed into them. Rav Schwartz accepts the ruling of *Mishnah Berurah* 453:13 to follow the stricter approach. Accordingly, these spices are listed in our shopping guide as "*kitnios*" (although a purist could argue that even if they are forbidden the term "*kitnios*" does not apply to them).

6. I am a *practicing* veterinarian and in the past I have purchased a specific brand of pet food listed in the cRc *Pesach* Guide as acceptable. This year that brand will not be available where we live (out of the United States). What do we need to do to be able to use other brands on *Pesach*? Can we check the ingredients and just be sure to purchase before *Pesach*?

³ See *Shulchan Aruch* 451:4 and *Mishnah Berurah* 451:28. Since *libun gamur* is not practical in most situations, some people are careful to only use kosher for *Pesach* items in their rotisserie oven all year round so they will not have to deal with *kasher*ing it for *Pesach*. If one did not make a special effort to be careful in this regard, they must assume they did use the oven with *chametz* at some point during the year (see *Rema* 451:10 & 27).

⁴ *Taz* 453:1 & 462:3, and *Chok Yaakov* 453:9.

⁵ *Magen Avraham* 453:3.

¹ *Rema* 453:1 and *Mishnah Berurah* 453:10.

² *Shulchan Aruch* 512:1.



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On Pesach, a Jewish person may not eat, own, or derive benefit from *chametz* which is fit for human or canine consumption, and owning *chametz* pet food to feed to an animal (even if the animal belongs to someone else or is ownerless) is a violation of the latter two of those restrictions. *Ashkenazic* Jews have a custom to not eat *kitnios*, but they may own and derive benefit from them. When the cRc “certifies” pet food for *Pesach*, it means that we visit the factory to determine which formulas are *chametz*-free, which relieves the consumer of that responsibility. However, if no certified (or recommended) pet food is available, you would have to carefully read the ingredient panel so as to determine if the product contains any *chametz* (and many, in fact, do). The following are some pointers when reading the ingredient panel:

- In addition to checking for the five *chametz* grains – wheat, barley, rye, oats and spelt – you should also be on the lookout for brewer’s yeast (a common flavoring agent, which is *chametz*), malt (a barley-based sweetener), pasta, xanthan gum (a thickener which may be fermented from *chametz*) and other generic words which may refer to a *chametz* ingredient (e.g. flour, gluten, middlings, starch).
- Many varieties of animal feed contain a multitude of vitamins, minerals and amino acids some of which may well be *chametz* and there is no realistic way for a consumer to determine which of them are problematic.⁶ However, the good news is that vitamins comprise such a small percentage of the animal food that the vitamins are *batel*. Therefore, it is generally accepted that if the animal food was created before *Pesach* it may be used on *Pesach*.⁷
- Some common ingredients used in pet food which do not pose a *Pesach* concern are:
 - a. Animal, poultry and fish products.
 - b. Vegetables, such as alfalfa, asparagus, beets, and carrots.

⁶ Aside from items listed as being a vitamin (e.g. Vitamin D3), the following is a limited list of “vitamins” included in pet foods (and covered by the statement made in the text): ascorbic acid, beta carotene, biotin, d-pantothenic acid, folic acid, menadione, niacin, pyridoxine, riboflavin, and thiamine.

⁷ *Responsa Rashba* III:214 suggests that anything added intentionally cannot be *batel*, since *bitul* essentially means that the item is unimportant and unwanted in the mixture. According to *Rashba*, a *chametz* vitamin intentionally added to pet food cannot be *batel* regardless of how small of a percentage of the mixture it is. Although a number of prominent *Poskim* appear to accept this opinion (at least as relates to *Pesach*, see *Magen Avraham* 442:1, *Chayei Adam* 121:2 and *Mishnah Berurah* 447:14), most contemporary *Poskim* seem to accept the lenient opinion of *Nodah B’yehudah* Y.D. II:56 (cited in *Pischei Teshuvah* end of 134:8) that most *Rishonim* disagree with *Rashba*. In our situation there is an extra reason to be lenient because there is a *safek* whether the vitamins are *chametz*, and *Rashba*’s strictness is Rabbinic in nature (see *Magen Avraham* and *Nodah B’yehudah* *ibid.*) such that we can apply the rule of *safek d’rabannan l’kulah*.

- c. Assorted *kitnios* foods, such as buckwheat, corn products, lentils, millet, peas, rice, peanuts, sunflower seeds and soy products).
- d. Other items such as barley grass, BHA, BHT, carrageenan, cellulose, colors, eggs, gums (other than xanthan gum), kelp, lactose, linseed, milk products, molasses, oils, psyllium, and whey.

By no means do these pointers cover all of the ingredients used in pet food, and you might want to be in touch with a *kashrus* professional if you are unsure about any of the other ingredients in a given pet food.

7. I see *that* some items I buy in the pharmacy contain alcohol; does that mean they are or may be *chametz*?

The answer to this question depends on which type of “alcohol” one is discussing, as follows:

Benzyl alcohol, methyl alcohol (a.k.a., methanol), and isopropyl alcohol are not made from *chametz*.

Ethyl alcohol, a.k.a. ethanol, can be made from *chametz*, and isoamyl alcohol is often a byproduct of whisky. These may also appear on an ingredient panel as part of a compound such as ethyl acetate or isoamyl butyrate.

Denatured alcohol, a.k.a. SD Alcohol, is ethyl alcohol which has been blended with other materials to render it not potable; there are different opinions as to whether such alcohol is forbidden on *Pesach*, and the cRc position is that they should not be used on *Pesach* unless they are listed as *chametz*-free on a reliable list of approved *Pesach* products.



HALACHA
הלכה

Amirah L’akum Where the Melacha is Performed Adatah D’nafshey

A non-Jew may perform *melacha* on *Shabbos* (or *Yom Tov*) if he is doing so for his own benefit (*adatah d’nafshey*), and the Jew merely has tangential benefit. There are different ways of interpreting this leniency, which hinge on the crucial question of how to decide when the non-Jew is doing the *melacha* for himself rather than for the Jew. Many years ago, in order to clarify the cRc position on this matter, Rabbi Eisenbach, under the direction of Rav Schwartz, instituted a very simple two-part rule about *amirah l’akum* at cRc events:

- Anything that a Jew is not allowed to do on *Shabbos*, a non-Jew may not do.

- Anything that a Jew is permitted to do on *Shabbos*, a non-Jew may do in any manner which the non-Jew chooses, because he is choosing to perform it via a *melacha* for his own benefit.

The following are some detailed examples of these rules, as they apply to a hotel situation.

- *Anything that a Jew is not allowed to do on Shabbos, a non-Jew may not do.* The reason for this rule is that since the non-Jew is doing the act for the Jewish guests, it is difficult or impossible to justify the act as being done *adatah d'nafshey* – even if the non-Jew has some personal benefit from the *melacha*.

Convection oven – A Jew may not open a convection oven on *Shabbos*, because doing so causes the fan and flames to turn off. Therefore, a non-Jew may not open the door of the convection oven, even though there are those who suggest that there are reasons why doing so might be considered *adatah d'nafshey*.⁸

- *Anything that a Jew is permitted to do on Shabbos, a non-Jew may do in any manner which he chooses.*

Slicing meat – A Jew may slice meat by hand on *Shabbos*, and therefore a non-Jew assigned to slicing meat may choose to use the electric meat slicer to make the job easier for him. One could question this because an electric slicer can produce slices that are thinner and more uniform than most people can create with a knife, which means that the non-Jew is using the slicer to benefit the Jewish hotel guests who will appreciate the nicer slices. However, Rav

⁸ When one opens the door of a convection oven, the fan, and the flame in some models, turns off in order to prevent the person who is opening the door from being blasted with hot air (as well as to conserve energy). Two suggestions have been made as to why a non-Jew should be permitted to open the door on *Shabbos* (or *Yom Tov*):

1. When the non-Jew opens the door of the oven, the fan turns off so that he will be comfortable and not blasted with heat; therefore, the *melacha* is being done *adatah d'nafshey*. It is difficult to defend this line of reasoning in our case where the act is being done completely at the behest of the Jew and there is no way to fulfill the Jew's request without turning off the fan.
2. The person opening the door has no intention of turning off the fan (i.e. he is *איני מתכוון* for the *melacha*), and it is only forbidden to open the door because it is a *psik reishah* (certainty) that the *melacha* will occur. If so, a non-Jew may open the oven for a Jew because the *issur* of *amirah l'akum* does not apply to acts which are merely forbidden as a *psik reishah* (see *Rema* 253:5 as understood by *Mishnah Berurah* 253:99, and *Mishnah Berurah* 337:10). One could question this suggestion because it is not clear whether such a situation should be classified as a *מתכוון* (in which case the non-Jew could not do it) or a *פסיק רישא דניתא ליה* (in which case he could). Additionally, it is bad policy to allow non-Jews to do acts which Jews cannot possibly do, as doing so will likely lead to abuses in the halachos of *amirah l'akum*.

Neither of the above suggestions would permit the non-Jew to close the door of the convection oven (thereby turning the fan and flame back on) if there is still food in the oven, because closing the oven door is surely meant to heat or cook the food left in the oven. The non-Jew would only be permitted to close the door if/when it was for his own benefit (e.g. so he could walk past that area of the kitchen).

Schwartz disagrees with this and holds that a professional chef is capable of cutting slices as precisely, or almost as precisely, as an electric knife; therefore, the non-Jew's choice to use the electric knife is considered *melechah* done *adatah d'nafshey*.

Washing dishes – There exist ways in which a Jew may wash dishes on *Shabbos*; therefore, the non-Jewish kitchen staff may choose to use an automatic dishwasher to save themselves time or to satisfy the requirements of the (non-Jewish) Board of Health.

Cleaning floors – On *Shabbos*, Jews are permitted to clean the floor of a kitchen, ballroom or hallway by sweeping or by bending down and actually picking up the refuse left on the floor. Since there is a way for cleaning to be done without violating any *issur*, the non-Jews are permitted to mop or vacuum, so as to make the cleaning easier for themselves and/or so that the floor's appearance will be clean enough to satisfy their professional standards of cleanliness. See below for an exception to this rule.

Exceptions

- *Shulchan Aruch*⁹ rules that a non-Jew may not do *melacha adatah d'nafshey on a Jew's property*, because people who see him doing the *melacha* will think the Jew specifically told him to do it on *Shabbos*. Therefore, mopping and other examples listed above as being permitted may only be performed in the recesses of the kitchen or in a locked ballroom, but not in the public areas of a hotel or in other areas where hotel guests may be present. Similarly, waiters may not write down guests' meal orders in the dining room, because people might think a guest specifically asked the waiter to write down the details of his order.¹⁰
- There are times when *amirah l'akum* is permitted even if it is not done *adatah d'nafshey*;¹¹ some details of those halachos were discussed in *Sappirim* 10, and questions regarding these issues should be addressed by a *moreh hora'ah*.



⁹ *Shulchan Aruch* 252:2 as explained by *Mishnah Berurah* 252:17.

¹⁰ In addition, Rav Schwartz says that it is a terrible *שבת זלזול* for a certified hotel to have waiters all over the dining room writing down people's orders on *Shabbos*. This concern, and the one noted in the text, could be avoided if the waiter would write down the orders after he leaves the dining room and has moved into the kitchen.

¹¹ E.g. *שבת דשבות במקום מצוה*.

Alfalfa

Unless otherwise noted, the technical information included in this article is from the Encyclopedia Britannica entry for "alfalfa" and/or from a phone conversation with Dr. Phil J. Peterson, Area Extension Educator, specializing in Forages, Agronomy and Farming Systems at the Washington State University Extension in Pasco, WA (Franklin & Benton Co.).

For centuries, alfalfa has been one of the world's great forage crops (grasses fed to animals), because not only can it grow under adverse conditions, but it also grows dark green leaves so quickly that it can be harvested as often as 13 times a year.¹² However, while alfalfa contains too much cellulose to be digested by humans, this article will address two ways that its use affects the kosher consumer.

Alfalfa Sprouts for Pesach

Although people cannot eat fully-grown alfalfa, they can gain some of the purported health benefits of consuming boron-rich plants such as alfalfa, by eating alfalfa sprouts. Alfalfa sprouts are produced when the seeds/beans of the alfalfa plant begins growing and develops a 1-2 inch-long sprout. The sprout is a thin, white, grass-like, flexible stalk, which does not contain much cellulose (if any) and does not resemble the fully-grown plant in any way. Each "strand" of alfalfa sprout still has the seed attached to one end, and the seed is split in half.

Rav Schwartz holds that since alfalfa is described as being a "leguminous plant of the pea family" which has "pods containing from two to eight or more seeds",¹³ it falls within the category of *kitnios*, and is therefore forbidden for *Ashkenazim* on *Pesach*.¹⁴ In fact, the split seed at the end of every alfalfa sprout looks much like any other bean forbidden as *kitnios*.

Although Rav Schwartz accepts *Iggeros Moshe's* position¹⁵ that foods which were not consumed at the time the *minhag* of *kitnios* began are not forbidden on *Pesach* and although there is no evidence that humans ate alfalfa sprouts at the time when the *minhag* of *kitnios* began, there is also no evidence to the contrary (and alfalfa was surely used for foraging when and where the *minhag* began). Therefore, since the seeds of alfalfa are

basically the same as other beans that are forbidden as *kitnios*, Rav Schwartz rules that they should not be eaten on *Pesach*.

However, Rav Schwartz also noted that *Yad Yitzchok* III:92 rules that only the bean or seed portion of a *kitnios* food is forbidden, but the stalk and other plant material is not. Therefore, for example, if one would remove the peas from their pod, the pod would be permitted on *Pesach* and only the peas would be forbidden. As such, Rav Schwartz holds that the bean/seed portion of the overall sprout is forbidden but the stalk-like portion is theoretically permitted on *Pesach*. Of course, in our case, it is not realistic to remove the beans from a serving of alfalfa sprouts, so for all practical purposes we must rule that alfalfa sprouts are forbidden on *Pesach*.

Sodium Copper Chlorophyllin

The fully-grown alfalfa plant does have a use in human food consumption, as a source of chlorophyll, a natural green color used to improve the appearance of food (which is also sold as-is for purported health benefits). Alfalfa's use as a source of chlorophyll is recognized by the FDA, and it is often reacted with other chemicals to create the coloring agent sodium copper chlorophyllin. The ingredients and process used in producing these colors is innocuous, and therefore sodium copper chlorophyllin is a Group 1 ingredient.

There is however, another method of producing sodium copper chlorophyllin, from an excretion of the silkworm. Silkworms are obviously not kosher and since excretions of a non-kosher animal are also non-kosher, the question was raised as to whether sodium copper chlorophyllin should not be considered a Group 1 ingredient pending knowledge of whether it was made from alfalfa or silkworms.

However, it seems that this is not truly a *kashrus* concern because (a) it seems that the chlorophyll is recovered from silkworm excrement,¹⁶ and such excretions are acceptable for kosher use as they are deemed inedible (see *Bechoros* 7b) and (b) it appears that this form of sodium copper chlorophyllin is not recognized as safe by the FDA and legally may not be used in food production,¹⁷ such that its kosher status is thus far a moot point. Both of the aforementioned reasons require further clarification, but for now it seems reasonable to consider sodium copper chlorophyllin as a Group 1 ingredient.



¹² The latter part of this description led Rav Schwartz to theorize that alfalfa is possibly the *aspasta* (אֲסַפְטָא) discussed numerous times in the *Gemara* (see for example the description in *Rashbam, Bava Basra* 28b s.v. *aspasta*). This may in fact be correct; see <http://www.americanscientist.org/template/AssetDetail/assetid/14349?fulltext=true&print=yes#22598> which says that, "Alfalfa holds the distinction of being the oldest forage crop for which we have a name, yet the etymology of the word is uncertain. It may have arisen from modifications of the Persian *aspa-sti* (horse fodder), the Arabic *al-fasasa* or the Kashmiri *ashwa-bal* (both meaning horse power)."

¹³ *Encyclopedia Britannica* *ibid*.

¹⁴ See a similar position in *Siddur Pesach K'hilchaso* I:16:3, which lists alfalfa (אֲסַפְטָא, the modern Hebrew word for lucerne/alfalfa) as *kitnios* (but does not cite any sources or *Poskim* who share his opinion).

¹⁵ *Iggeros Moshe* O.C. III:63.

¹⁶ See <http://www.iupac.org/publications/pac/2006/pdf/7808x1477.pdf>.

¹⁷ See <http://chaos.fedworld.gov/bxa/whatsnew.cgi/revmissiletech.pdf>, and the source cited in the previous footnote.

Coffee and Tea for Pesach

The following was prepared for presentation at the cRC Pesach Seminar at Congregation K.I.N.S. in Chicago on March 31, 2008.

What is in coffee and tea that might make them unsuitable for *Pesach*? Although coffee beans and tea leaves are inherently kosher for *Pesach*,¹⁸ we will see that there are three processes done to the beans or leaves which potentially raise *Pesach* concerns, namely decaffeination, drying, and flavoring. Before we discuss those processes, it is worthwhile to discuss the two other processes which all coffee beans must go through to release their flavor, i.e. roasting and brewing. [Our discussion will focus on coffee, and tea will be discussed at the end of this article].

The process of roasting coffee beans changes their color from green to brown and helps develop the flavor; brewing the (ground) beans then discharges the flavor into the water. Just about all coffee sold in stores is already roasted, and a considerable amount of coffee is brewed in the factory and sold as "instant coffee". Instant coffee is produced by removing the liquid portion of the brewed coffee to create particles of solidified coffee; these particles can be diluted in water to create a cup of instant coffee. The roasting and brewing steps do not present a *Pesach* concern.

Note: Whichever type of coffee you use for *Pesach*, whether it is the type which does or does not require special *Pesach* supervision (as explained in this article), one **should not** use the same jar/canister which has been used throughout the year. A new jar/canister should be purchased for use for the duration of *Pesach*. If you have put away a *Pesach*-designated jar/canister at the end of the previous *Pesach* and **have not used it** during the year, you may use it again during this year's *Pesach* season.

We now turn to the other three processes.

Decaffeination

For the many people who enjoy the taste of coffee but do not want the stimulation provided by the caffeine, companies have developed a few methods of removing caffeine from the beans before they are roasted. The common denominator between the different methods is that the beans come in contact with a (hot) liquid which draws the caffeine out of the bean.

The liquid used for decaffeination may be water, a chemical solvent (i.e. ethyl acetate, methylene chloride, carbon dioxide), or a combination of the two (i.e. water extracts the caffeine from the beans,

and then the solvent is used to extract the caffeine for the water before the water is reused). In cases where the chemical solvent has direct contact with the beans, the beans are often soaked in hot water or steam to soften them before the solvent is applied.

The *Pesach* issues with these processes are that (a) ethyl acetate may be derived from *chametz* and (b) the water used in the process is sometimes purified (hot) on a carbon bed, which is in turn purified with hot ethyl alcohol, which may be derived from *chametz*.¹⁹ Due to these concerns, decaffeinated coffee is only recommended on *Pesach* if it bears a reliable kosher certification, which guarantees that the decaffeination process has no traces of *chametz* or *kitnios*.

Drying

As noted, instant coffee is brewed in the factory and then the liquid coffee is "dried" into particles which the consumer reconstitutes with hot water. The roasting,²⁰ brewing, and drying equipment used for

¹⁹ In truth, the concern that ethyl acetate used in decaffeination might render the beans forbidden for *Pesach* use on a *b'dieved* level is not at all clear, as follows: Ethyl acetate is unusual in that it is toxic at the levels used for decaffeination but when it is used in tiny amounts (parts per million) it is safe and is a relatively common flavor component which qualifies as a *misah d'avidah lit'amah*. Due to the danger (and taste) of ethyl acetate, the coffee company makes sure to remove all traces of it from the beans. As such, when the ethyl acetate is at high proportions it is inedible/poison and cannot cause the beans to be forbidden. The *Pesach* concern is that the company may have merely removed enough ethyl acetate to avoid danger but left enough to be *nosein ta'am* in the beans. The reasons to not be concerned with this are that (a) the companies have a strong incentive to remove all ethyl acetate and claim to do just that, (b) even a *misah d'avidah lit'amah* can be *bateil* if it is so diluted as to not be *nosein ta'am*, which is quite likely in our case where it is mixed into coffee (which is very flavorful), and (c) it is just a *safek* if the ethyl acetate is *chametz*.

Ethyl alcohol is not dangerous and therefore the companies do not have the strong incentive to remove all traces of it from the beans (or water), but in practice the companies are careful to remove all traces from the finished product (which is a relatively simple process). As such, the reasons noted above regarding ethyl acetate would appear to apply to ethyl alcohol as well. There is also the additional factor that in tiny proportions ethyl alcohol is not an *avidah lit'amah* and can be *bateil b'shlim*.

On the other hand, Rav Schachter points out that there is a reason to be *machmir* regarding beans that had direct contact with the ethyl acetate (or ethyl alcohol) based on *Magen Avraham* 447:38 who suggests that food which absorbed *chametz* should *l'chatchilah* not be eaten on *Pesach* even if all the absorbed *chametz* is removed (and even though there is no *ChaNaN* on *chametz* before *Pesach*). It is not clear if *Magen Avraham* applies in our case where (a) there is likely just a fleeting second when the beans have absorbed exactly the amount of ethyl acetate which is safe and *nosein ta'am* simultaneously, and (b) the ethyl acetate is merely *safek chametz*. [See also *Mishnah Berurah* 447:89 who does not wholeheartedly accept *Magen Avraham*].

In spite of the questions raised as to whether the decaffeination process causes the coffee to become forbidden, the text states that one should not use decaffeinated coffee without *Pesach* supervision, as it is best to avoid any possibility of *chametz* being in one's *Pesach* food.

²⁰ We have seen that there are *Pesach* issues with decaffeinated coffee beans, and a question has been raised as to why the roasting equipment is assumed to never be used for *chametz*, if it is used for roasting those beans. One answer suggested is that all ethyl acetate has been removed from the beans before they reach the roaster, such that it might be proper not to use the decaffeinated beans themselves, but the beans cannot possibly cause the roaster itself to become forbidden. However, this answer may not be correct, as it appears that it is the heat of the roasting which evaporates the ethyl acetate out of the beans, such that the beans come into the roaster laden with ethyl acetate and only lose the ethyl acetate when the roaster gets hotter than 170° F. [Yet this answer may be justified based on the rationales outlined in the previous footnote as to why even the decaffeinated coffee itself may be permitted on *Pesach*].

Rabbi Mordechai Kuber suggested a simpler answer – that the coffee beans are not inherently *chametz* but have merely absorbed *chametz* (i.e. ethyl acetate), and there is a principle that absorbed tastes cannot transfer from a food to a utensil without a liquid medium between the food and utensil (אין הבלוע יוצא מאוכל לכלי בלי) (see *Taz* 105:16 and others). Therefore, in our case where the decaffeinated beans are dry-roasted, there is no way for the absorbed *chametz* to transfer into the roaster.

¹⁸ See *Sha'arei Teshuvah* 453:1 (citing *Responsa Shvus Yaakov* II:5) and *Pri Megadim* (M.Z.) 453:1 which state that coffee beans and tea leaves are not *kitnios*.

coffee is generally assumed to be dedicated to processing pure coffee and therefore there is no real concern that it had been used for *chametz*.

A few years ago it was discovered that some companies add maltodextrin to the liquid coffee before they dry it, and they are not required to list that additive on the ingredient panel. Maltodextrin may be *chametz* (or *kitnios* or innocuous), and therefore the discovery that it may be in coffee made people assume that all instant coffee requires *Pesach hashgachah*. However, after more careful analysis, it became clear that this restriction could be modified somewhat, based on the two methods of drying instant coffee – spray drying and freeze-drying.

Spray-drying is a straightforward process where tiny particles of liquid coffee are sprayed into a chamber which is so hot that all of the water instantly boils out of the coffee. Spray-drying is used in many industries and is relatively cheap and simple. On the other hand, freeze-drying is an expensive and time-consuming process which slowly removes moisture from frozen coffee under vacuum using “sublimation” which allows the liquid to go from being frozen to vapor without ever being in a liquid form.

So, why would anyone spend so much money and take 24 hours to freeze-dry their coffee if they can just spray-dry it? The answer is that freeze-dried coffee has more of the original flavor and hydrates more quickly than spray-dried coffee. As relates to *Pesach* there is also another difference; maltodextrin is useful in preparing spray-dried coffee but would not be used in freeze-dried coffee. Therefore, we can clarify the restriction noted above to be that *spray-dried* instant coffee should not be used without *Pesach hashgachah*.

Is there any way to know whether a particular brand of instant coffee is spray-dried or freeze-dried? The surprising answer is that it's actually quite simple. As can be seen in the pictures, freeze-dried coffee comes out of the drier in (small) chunks while spray-dried coffee is a powder. Many companies use a second process known as agglomeration on the spray-dried coffee to get the particles to clump together (so they will look more like expensive freeze-dried chunks and so they will hydrate faster), but if one squeezes the agglomerated clump



between their fingers the clumps will immediately return to their powdered form. As such, anyone who experiments with a few samples of coffee can easily learn to distinguish between freeze-dried instant coffee (which does not pose a *Pesach* concern) and spray-dried (which should only be used with *Pesach* certification).

Flavoring

A fair amount of flavor is lost when the coffee beans are decaffeinated, roasted, brewed, and dried. For decades, coffee companies have made special efforts to capture the escaping flavor and reintroduce it to the finished product, and in that sense, just about all coffee is “flavored”. However, this type of flavoring is assumed not to pose a *Pesach* concern, since we assume that the companies are just producing coffee and nothing else of significance.

On the other hand, in recent years, the concept of (truly) flavored coffee has become more popular, and one can purchase coffee flavored to taste like cinnamon, almonds, pumpkin, hazelnut and even Vienna Strudel! The flavor is typically added just before packaging and may be found in all varieties of coffee including regular, decaffeinated, freshly ground, and instant.

A general rule in *kashrus* is that any item which is flavored requires kosher certification whether the flavor is labeled as natural or artificial, and flavored coffee is no exception to the rule.

To illustrate this, I looked at the formulas for French Vanilla coffee flavor made by two different flavor companies. One company had a relatively simple formula which consists of just two ingredients, one of which has a carrier which may well be *chametz* but would not be an issue *b'dieved*, and the other which is almost certainly not *chametz*. The second company's formula contained 12 ingredients as well as sub-formula which contained 26 ingredients and a sub-sub-formula which contained an additional 12 ingredients! Of the 50 ingredients in this formula, I identified 9 that contribute flavor and might be fermented from wheat, a whisky byproduct, or produced from grain alcohol.

Tea for Pesach

Black, green, white, yellow, oolong, and jasmine tea are all inherently kosher for *Pesach*, but the issues of decaffeination and flavoring apply to tea in the same way that they apply to coffee. For that reason all decaffeinated tea and all flavored tea (which includes most herbal teas) should only be used on *Pesach* if they bear an appropriate *Pesach* certification.