

Kosher Candy



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Dayan

What do jelly beans and most brands of sprinkles and candy corn have in common? They all contain an ingredient called shellac, otherwise known as confectioner's glaze or resinous glaze. (In Europe, it is identified as E904.) As detailed by Mantrose-Haeuser Co., shellac is a resinous secretion produced by millions of insects called *Kerria lacca* or just "lac" for short. This secretion forms hard layers on branches and twigs of trees in India and Thailand and is then separated from the branches, crushed, ground, washed, and dried into "seedlac", the raw material used for all refined shellac production. Used in the production of paints and floor polishes, it also coats fruits and vegetables, shiny candies, and pills.

Are we allowed to eat these candies, knowing that they contain the secretion of a non-kosher bug? The *halacha* clearly states that consumption of any product of a non-kosher animal (or insect) is forbidden *Midioraisa* (*Bechoros* 5b). Indeed, HaGaon Rav Yoseph Shalom Elyashiv *zt"l* (*Koveitz Teshuvos* 73) rules that it is forbidden to eat candies or fruit that have a shellac coating. Likewise, the *Minchas Yitzchak* (V.10:65) recommends avoiding these products. (Hagoan Rav Ahron Soloveitchik *zt"l* also did not allow candies coated with shellac into his home.) In *Eretz Yisroel*, the *kashrus* agencies follow this view and do not grant *hashgacha* on candy or fruit which has a shellac coating. In America, some *hashgachos* (i.e., HaRav Menachem Meir Weissmandel, *shlita*) follow that opinion, but many (the cRc, Orthodox Union, Star-K and others) are lenient. What basis is there for leniency, given that shellac is the secretion of a non-kosher insect?

"Like a Bee"

HaGaon Rav Moshe Feinstein *zt"l* (*IGM Y.D.* 2:24) addresses this issue and offers several reasons to be lenient. The first reason suggested by Rav Moshe *zt"l* is that shellac produced by a lac insect is comparable to honey produced by a bee. The *Gemara* (*Bechoros* 7b) brings an argument as to why it is permitted to eat honey produced by a bee, even though it is the product of a non-kosher insect. The *Chachamim* explain that honey is created when the bee eats nectar and then releases it in the form of honey. The bee, however, never digests the nectar; rather, its enzymes merely transform the nectar into honey. Since the honey was not produced by the bee's digestive system, it is not considered the "product" of a non-kosher insect. The *Tanna* Rav Yaakov is not satisfied with this reason but opines that the *heter* to eat honey is derived from

a *pasuk* in *Parshas Shemini*: "Ach es zeh tochlu mikol sheretz ha'of." The *Gemara* explains that whether the *heter* of eating honey is limited to a bee or also applies to "gizzin v'tzirain" (types of non-kosher insects which produce honey like bees) is dependent on these two reasons. According to Rav Yaakov, the *pasuk* is only permitting the honey of a bee, while according to the *Chachamim*, the *heter* applies to any insect which produces honey. The Rambam rules according to the lenient opinion of the *Chachamim* and permits the honey of *gizzin v'tzirain*, while the Rosh's stricter ruling is in line with the opinion of Rav Yaakov. The *Shulchan Aruch* (*Y.D.* 81:9) cites both opinions.

At first glance, Rav Moshe *zt"l* says, it would seem that the *halachic* status of shellac would depend on this *machlokes*, as the lac produces resin by sucking sap out of certain trees and transforming it into shellac. The sap is never digested by the lac. Rav Moshe further suggests that even the Rosh, who prohibits the honey of *gizzin v'tzirain*, might also permit the shellac. This is based on the *Levush's*



understanding of the Rosh that the reason honey of *gizzin v'tzivain* is not permitted based on the *pasuk*, is that the *pasuk* is only permitting products of insects which are not identified by the name of the insect. To clarify, the honey of a bee is referred to simply as “honey” while the honey of *gizzin* is called “*gizzin* honey”; the name of the non-kosher bug is included in the name of the honey. When “shellac” is mentioned, the name of the non-kosher insect is not included in its name; therefore, it can be permitted by the *pasuk*, just as honey produced by a bee is permitted. [Some challenge this *heter* of Rav Moshe *zt”l*, claiming that the name “shellac” is derived from the name of the **lac** insect. However, after researching the matter, it appears that “shellac” is derived from the Indian word “laksha” (which means one hundred thousand).]

Rav Moshe *zt”l* notes, however, that not everybody necessarily agrees with the logic of the *Levush*. Furthermore, even the *Levush* may only permit the secretion of other insects that fly (and do not have the name of the bug attached to the name of the secretion), as the *pasuk* from which the *heter* is derived discusses flying insects. The lac, however, does not fly.

Others (HaRav Menachem Meir Weissmandel *shlita* in a *teshuvah* printed in an “Ohr Yisroel Journal”) contest the comparison of the lac to a bee. Since the manner in which a lac produces resin is not exactly identical to that of a bee producing honey, we do not have the authority to treat them in the same manner.

Bitul

Rav Moshe *zt”l* suggests another *heter* as well. When the shellac is produced, the resin is mixed with alcohol three times the amount of the resin. Ordinarily, when a non-kosher ingredient is mixed with kosher ingredients, the non-kosher ingredient becomes *batel* (nullified) when the kosher ingredients are 60 times the amount of the non-kosher ingredient. Resin, on the other hand, because it is tasteless, becomes *batel* in any kosher food that is greater than it. However, this *heter* of Rav Moshe *zt”l* is problematic, as the information presented to Rav Moshe *zt”l* was apparently inaccurate. While it is true that the resin is mixed with three parts alcohol, the alcohol subsequently evaporates, resulting in a mixture containing a majority of non-kosher resin.

Inedible

The main source of leniency to permit the eating of shellac products seems to be that the resin is inedible when secreted from the insect. Rav Moshe *zt”l* equates its consumption to eating a piece of wood or dirt. Although the Rambam forbids eating inedible bones of a non-kosher animal, the shellac is subject to leniency; it is merely derived from the non-kosher animal and is, therefore, permitted. HaGaon Rav Yoseph Shalom Elyashiv *zt”l* (*Kovetz Teshuvos* 73) disagrees with this *heter*. Rav Elyashiv writes that this matter seems to be dependent on a *machlokes rishonim* found in *Shulchan Aruch* (Y.D. 81:1). *Shulchan Aruch* states one opinion that *mei raglayim* (urine) of horses (a non-kosher animal) is forbidden to drink, despite the fact that *mei raglayim* is not usually drunk. Accordingly, the inedible shellac secreted from the lac should similarly be forbidden. The *Shulchan Aruch* then brings the opinion of the Rambam, who permits the consumption of the *mei raglayim* of the horses. It follows, then, that the shellac should be permitted. However, Rav Elyashiv *zt”l* concludes that even the Rambam, who permits one to drink the *mei raglayim*, would prohibit the eating of shellac. He explains that the Rambam only permits inedible secretions from edible animals. However, with regard to the lac insect, the bug itself is inedible, and yet the Torah forbids it; so, too, will the inedible secretion be prohibited.

HaRav Yisroel Belsky *zt”l* defends the position of Rav Moshe *zt”l*, that according to all opinions in *Shulchan Aruch*, shellac is to be permitted. There is a great distinction between the inedible shellac and *mei reglayim* of a horse. The *halacha* is that the excrement of a dog (a non-kosher animal), referred to in *halacha* as *pirsha*, is permitted. *Pirsha* that is totally inedible is treated like wood or dirt and presents no *kashrus* concern, no matter its source. Shellac would fall into this category. However, *mei reglayim* of a horse, though not usually eaten, is somewhat edible. Therefore, it would not fall into this category of *pirsha*, and would be prohibited according to one opinion mentioned in *Shulchan Aruch*.

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