

On One Foot – Bishul Akum

There was a lot of publicity given to Naadia Hussein baking the cake of Her Majesty's 90th birthday.

There is an occasional misperception that Kashrut is solely about kosher ingredients. Of course that's not the case. Strictly kosher milk and glatt kosher meat are individually acceptable – but combining them in cooking is a major kashrut infraction. We are also concerned about how our ingredients are prepared.

The Talmud (Avoda Zara 35b) records a rabbinic prohibition on food that has been cooked by a non-Jew. Rashi suggests two reasons, one is concern that he might introduce non-kosher ingredients; the other is to prevent socialising which might lead to intermarriage. (Bread, cheese, oil and wine are all addressed by their own gezeirot).

Two categories of food are excepted from the prohibition of Bishul Akum.

Foods which can be eaten raw, such as carrots are kosher even if cooked, as, inter alia, cooking is not essential to improve our enjoyment of the food.

The second exception is for foods “which would not be served on a king's table”. Does that actually mean we can't eat Rice Crispies if they have a Royal Warrant and Her Majesty enjoys them with her breakfast?

There are a number of factors which determine whether a food is “oleh al shulchan hamelachim” (Shulchan Aruch Yoreh Deah 113). The food must be of the sort that is served at a banquet (ruling out breakfast cereal); it's of the nature that you would invite people around to eat on Shabbat or Yom Tov. While rice would be prohibited under Bishul Akum, Rice Crispies or rice crackers are not.

A recent phenomenon was addressed by Rav Belsky z”l the posek for the Orthodox Union. He ruled that imitation foods were not “oleh al shulchan melachim”. Accordingly soya schnitzels and cakes with parev cream are exempted.

Also, foods which are processed and require further cooking (not just warming up) before they are served are not covered. This enables a whole range of “acceptable” and hechshered supermarket products.

So how do we deal with the non-Jewish chefs? As long as the flame is lit or the oven turned on by an appropriate Jewish person, that “contribution” to the cooking process is enough to remove it from the Talmudic prohibition.

The Shulchan Aruch raises the concern of non-Jewish staff (eg nannies and au-pairs) in Jewish homes. There are some poskim (such as the Rashba) who would include non-Jewish staff in the prohibition (so that they could not cook a meal for the kids or even themselves without treifing up your utensils). However, the Shulchan Aruch and Rema note a prevailing leniency in these circumstances, though the expressed assumption is that the Jewish householder will be somehow involved in the culinary process.

Not all the food that's fit for a king is necessarily “fit for a king's table”.