

Slightly Treif or Fully Kosher?

In Monday evening's shiur on Messilat Yesharim we encountered a passage where the Ramchal (Rabbi Moshe Chayim Luzzato) wrote about a pure soul. At the highest level, even if someone is doing all the right things, if there is but a smidgen of self-interest (for example the honour or recognition of piety) he writes that it may be so small that it is *bottul* (rendered insignificant) by the overwhelming weight of good deeds – but nonetheless it *is* there. The presence of this motivation impinges on the individual's spiritual purity. No-one should deny the marvellous qualities of someone who “does all the right things”. However, the pietist seeking a pure soul must strive to overcome this deficiency. Spiritual purity is an absolute.

In Halacha, we often encounter the idea of *bittul* (nullification) in kashrut. The Talmud is concerned about both *treif* food and the flavour of *treif*. If non-kosher fat falls into a kosher soup it will melt away and there will be nothing of it to be seen. But the flavour of the fat may yet be apparent. Of course, we cannot taste the food ourselves to see if it tastes *treif*. Nor may we have to hand a reliable non-Jew, who might say either “I do like the subtle creamy flavour of your chicken sauce” or alternatively “The meat sauce would be so much better with a dash of yoghurt!” The Talmud (Chullin 97b) establishes a culinary yardstick based on the quantity of flavour that would be discernible on a turnip. This in turn is clarified as a ratio of 1 to 60.

Accordingly, if a drop of milk or some cheese falls into a meaty stew (or meaty fat into a cheesy sauce); if the ratio is less than one part milk to sixty parts meat, we hold that the flavour would be discernible and the mixture is prohibited. If, however, there are 60 or more parts meat against the milk, we hold that the flavour is so dissipated that the mixture remains permitted. Unlike the Ramchal's example of the tainted soul, we hold that though slightly treif at source, the stew is fully kosher.

Clearly, if a *piece* of meat falls into the cheese sauce, the visible piece of meat would need to be removed. It is *nikar* – (visible or evident) and that which is evident is inherently not nullified.

This idea of *nikar* also applies to spices and flavourings. Even though they are used in tiny quantities, they are added to give flavour and their existence is manifest. They are not nullified. Non-kosher gelling agents (I'll deal with the wonders of kosher gelatin some other time) and food colourings, are also used in tiny quantities. However, such is their purpose. Their presence is clear so the leniencies of *bittul* cannot apply.

An important limiting principle was established by the Sages. “*Ain mevaltlin issur lechatchila*”. You are not allowed to deliberately mix food to create *bittul* (nullification). One cannot, therefore, deliberately add a piece of cheese to 60 times its volume of meaty stew just to see what it might taste like if it can be tasted. Moreover, if cheese has melted away in 50 times its volume of stew, you are not allowed to add more meat to create *bittul*.

The application of this principle occasionally leads to different Kashrut licensing authorities treating the same product differently. Foods created by non-Jews for the non-Jewish market might see treif ingredients added but at less than 1:60. Some hold that as the end product has no discernible treif flavour the ingredient is *bottul*. Others hold that as the *treif* ingredient is a part of the recipe “*Ain mevaltlin issur lechatchila*” applies and the end product is banned by this limiting principle.

There's a great hypothetical debate to be held on a product made up of 61 units where each unit is a different *treif* ingredient. On the one hand the flavour of each is *bottul* against 60x its volume of other ingredients. Its flavour cannot be discerned. On the other hand, every last unit of the product is *treif*. How on earth could one claim that the end product could be permissible?

Some foods are not *bottul* in 60. We say that chametz on Pesach is not *bottul* even 1:1,000 (so keep the whisky away from the charoseth!)

Whole *treif* things (however small) can't be *bottul*. If you see a bug fall into a large cholent cauldron, the food cannot be eaten until the bug has been found and removed (or alternatively portions are removed and checked thoroughly). One of the main sources of the English law of negligence (and products liability) is *Donoghue v Stevenson* (1932) where a decomposing snail was found in a bottle of ginger beer. The House of Lords ruled that Mr Stevenson the manufacturer had failed in his duty of care to Mrs Donoghue, who had drunk the pop and fallen ill. According to their Lordships and all halachic authority faced with the complaint, "Waiter, waiter, there's a fly in my soup!" – a beetle in a bottle isn't *bottul*!