

Is Vegetarian Food Vegetarian?

by: Rabbi Jeremy Rosen

On 26th October 2015, CNBC published this report:

“Clear Food, a branch of Clear Labs, a company that analyzes food at a molecular level to determine the quality of brands, tested 345 hot dog and sausage samples from 75 brands to see if the product matched what was described on the package.

It turns out that 14.4 percent of the samples were not as advertised. Clear Food found that the hot dogs and sausages either included substitutions or had hygienic issues.

The company noted that all of the kosher products that were tested were 100 percent pork-free. However, 10 percent of the vegetarian products tested contained meat. In addition, 67 percent of the vegetarian samples were recorded as having “hygienic issues,” which were not described in detail.

“In several cases, pork had been added to products that did not mention the meat on the labels or ingredient lists. This included the vegetarian samples. Most often pork had been used as a substitution for chicken or turkey, according to Clear Food. Perhaps the most unsettling discovery by Clear Food is that human DNA was found in 2 percent of all samples and in 66 percent of the vegetarian products.”

This report has raised very important issues for people who care about their religious laws and customs. It has certainly persuaded me to rethink some of my assumptions.

I was brought up after the Second World War at a time when kosher food was nowhere nearly as available as it is today. It was unheard of to find kosher certified products in ordinary grocery shops. When supermarkets appeared, you would never find kosher products there. Kosher supplies, mainly meat, could be found at kosher butchers, only in heavily populated Jewish areas. Bread and cake could be bought at the few kosher bakery shops, and products made in Israel were limited and rare. The local religious authorities supervised foods mainly for Pesach. If one did not live in a ghetto, one had to travel long distances for supplies, and if one went on vacation, or indeed to study in a university town with few local Jews, provision of kosher supplies was a challenge at best, often a logistic nightmare.

In such a world one had to be creative. One looked at labels to see what went into the food, although in those days most food had no such list on their labels. One often wrote letters to manufacturers asking about ingredients. It was rare to find vegetarian restaurants, but if you did you could not be certain that many of the foods offered did not have animal ingredients

(cheese usually had animal rennet).

There were halachic solutions. Quantity can be significant in matters of the wrong food mixed in with the approved. Minute ingredients, not essential ones, can often be discounted or cancelled out in greater quantities of acceptable ingredients. Hot and cold makes a difference because cold non-kosher food will not normally transfer itself into the material of the crockery. Glass does not absorb non-kosher food previously eaten on it or drunk from it. There are many, many ways within Jewish dietary laws to permit what on the surface is not permissible. Of course intent, accident, and compulsion all play a part in halacha too, so that you might often not be actually guilty of anything. But of course you really do need to know your Jewish law to take advantage of the stuff, and very few lay people do. Nevertheless, in those days it was not at all easy for those who cared about living a religious life and for whom all this mattered very much. It was tough. As it would be today if you were trekking down the Andes or Borneo.

Slowly over the years things began to change. As Orthodoxy rebounded from its near obliteration, demand began to rise. More and more young men trained only in Jewish studies needed jobs. Kosher supervision began to expand and grow into a billion-dollar industry. The American Orthodox Union (OU) organization became so professional that many non-Jews recognized it as a mark of high standards and reliability.

Israel changed a lot, because there you had a serious local commercial market of millions to cater to. Most commercial food producers had kosher stamps from religious authorities. Indeed religious authorities themselves proliferated and vied for marketshare. Nowadays armies of bearded supervisors can be found all over the world guaranteeing the religious suitability of foods from Shanghai to Patagonia. Many supermarkets in the "civilized" world carry products with kosher stamps from somewhere. In the USA kosher products are bought by non-Jews who believe its standards are above the norm. And many Muslims, whatever they think of Jews, buy kosher food because they know that they can rely on it to be pork-free. The business has grown to the point where supervised water, paper towels, dishcloths, and aluminum foil can be found with stamps saying they are all guaranteed to have no non-kosher ingredients. The arguments for extremes of supervision have become ridiculous to the point of humor. But business is business, jobs are jobs and markets are markets. Since we now have bug-free lettuces and "kosher" water, I have no doubt we will soon have kosher supervised air.

There are some strict Jews who never eat out of their homes altogether. Thanks to ready availability of kosher food nowadays, many Orthodox Jews only buy supervised products on principle, no matter how farfetched it might seem. The argument in favor is not just religious but practical. One needs to support the industry, both for financial and practical reasons, regardless of religious necessity.

There was a time when one could argue that the cost of kosher food was prohibitively high. Many families could not afford the expense. Rabbis, such as myself, who were sensitive to the needs of those of modest means found ways of permitting unsupervised alternatives.

As the business has expanded many prices have come down relatively, and with the most notable exception of meat products the differences are not that high. Besides, the arguments against eating meat nowadays get more persuasive by the day. Recent headlines warn that processed meats and red meat increase the risk of cancer. And the high cost of rearing cattle (not to mention the cruelty) and the increasingly effective artificial substitutes will eventually level the playing fields, which I hope will make slaughtering animals for food quite unnecessary. In major cities now strict vegan restaurants are proliferating (and in New York some have kosher supervision, too).

In recent years governments have insisted on much more regulation and reliable food labelling. At first this seemed to pose a challenge to those who argued one had to have only supervised food. Most religious authorities argued that you could rely on the Law of the Land and on government inspection to enforce the purity of ingredients. Of course scare stories began to circulate. Mythical upstate farmers adulterated cow milk with pig milk (an utter absurdity since the two do not mix), and stories about unlisted additives proliferated. I have to say I took most of this with a pinch of salt and put it down to self-justification of vested interests. I trusted non-Jewish suppliers of vegan products to tell the truth and vegetarian purveyors to be genuinely vegetarian.

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But now I am beginning to wonder. If after all the years of law enforcement and public scrutiny the report I quoted above is true, then I am afraid I must recant. I must now declare that given the clear failure of government agencies to enforce their laws, the examples of food producers adulterating their products and lying, I see no alternative other than to buy only supervised food. Even if many supervisory agencies have been shown to be both dishonest and negligent and there are of course rabbis and rabbis. A little bit of due diligence helps. But in the end I take the view that if the supervisor is committed to Jewish law and behaves ethically too, I will accept him (and her).

This need for supervision does not apply to fresh (kosher) fish, fruit, and vegetables. I do not agree one needs supervision of all vegetables for fear of bugs, so long as one checks before one eats for things that can be seen by the naked eye. I do not believe for one moment there is a little man who injects fruit and vegetables with bacon and only a supervisor guarantees he stays away. Even if he does spray pig fat on apples, nowadays everyone recommends washing fruit before you eat it anyway. I know full well many pious religious policemen will accuse me of undue leniency. But this is an ideological issue. On principle I prefer leniency when it comes to prescribing for others. The Talmud, after all, considers the right to be lenient superior than the right to be strict.

I know as well there have been too many examples of Orthodox Jewish purveyors of food betraying the religious community. There is a lot of skullduggery and false labelling going on. I know some supervisory organizations are less reliable than others. There is never 100% failsafe reliability. All human systems are subject to abuse. But we who care do have an obligation to reduce

the risks.

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What this report does is to challenge my innocent faith in government regulation has now been shattered. If I do buy vegetarian meat substitutes, I will put more trust in Israeli products than I will in American ones!