

The Kashrut of Maple Syrup

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This program is dedicated by Nathan Kirsh in memory of his beloved parents Lou and Ruth Kirsh z"l, and his beloved brother Jerry Kirsh z"l.

What could be wrong with 100% pure maple syrup?

1. COR's Most Frequently Asked Questions, <https://www.cor.ca/faq.html>

Does Maple Syrup/Maple Sugar require certification?

Maple Syrup and Maple Sugar should have kosher certification as anti-foams are commonly added and they might be packed with the same machinery as non-kosher products.

2. Sue Fishkoff, "Farmer, rabbi and maple syrup maker, Shmuel Simenowitz melds Torah and environmentalism", JTA, April 18, 2011

Simenowitz produces about 100 gallons of maple syrup in a good year, boiled down from 4,000 gallons of raw sap, which is collected from buckets he hangs from his tapped trees. He taps the trees in a pattern, he explains — a little higher or lower each year so as not to damage the tree. The sap is pumped into an evaporator inside the sugar shack, where the water is boiled off to leave behind the syrup, which is about 60 percent sugar.

The operation is kosher certified. There are two major kosher concerns with "pure maple syrup." First, an observant Jew is required to turn on the evaporator because only an observant Jew is allowed to "light the fire" that cooks a kosher food item. Second, while the sap is boiling, farmers drip animal fat into the mixture to keep it from foaming over the top of its container.

"Traditionally they'd take a piece of pork fat, suspend it from a string and the foam would rise, touch it and go down," says Simenowitz, who instead uses olive oil, pouring in a drop or two at a time.

Simenowitz, who sells all his maple syrup himself either in person or by mail order, says he sells out every year. He makes his living as a traveling scholar-in-residence, lecturing about farming in Orthodox venues and teaching Torah to Jewish environmentalists and foodies through Ya'aleh v'Yavo, the Jewish environmentalist project he directs. He also picks up the occasional legal case, to keep the bills paid, and has been tapped by the city of Baltimore to do a comprehensive energy audit on a new Orthodox-friendly commercial building, including designing some of its energy-efficient infrastructure.

Is there really pig in my maple syrup?

3. Kashrut: Maple Syrup, Karaite Jewish Congregation Orah Saddiqim Website

Maple syrup is another sweetener which may sometimes be a concern. The process of making maple syrup requires an agent to reduce the foam on the syrup by adding a small amount of fat to the liquid.

The traditional process of reducing the foam in maple syrup has included the use of lard. Previously, local producers would hang pork fat over a tub of maple syrup and let drops of fat drip into the syrup. Others used milk, cream or butter. If animal products are used in the form of lard or milk, the amount is minute. For example, eight to ten gallons of syrup will involve a quarter of a teaspoon of cream or a pea-sized drop of butter.

Vegetable oil is a common defoaming agent. It can be applied to the end of a wooden stick and dipped into the foaming part of the maple syrup. Most manufacturers of maple syrup now use vegetable oil or synthetic defoamers instead of lard.

One commercial defoamer (called Atmos300K) is composed of monoglycerides and diglycerides. According to WITCO, the producer of this defoamer, these glycerides are derived from "edible meat and/or vegetable sources." Another leading brand of defoamer, Reynolds Magic Syrup Defoamer, also contains acetylated monoglycerides as an ingredient.

Well known brands of pancake "maple" syrups, such as Mrs. Butterworths or Log Cabin, usually contain only 2-5% maple syrup. Corn syrup is the main ingredient of most pancake syrups. Pure maple syrup will have a grade label and state "100% Pure Maple Syrup."

It may be difficult to determine whether a particular brand of syrup has an animal or vegetable based defoamer. Most syrups do not use lard, with the exception of certain small-scale products. Brands which are kosher certified, such as Spring Tree or Maple Groves, are unlikely to contain animal products in their defoamers. Holsum Foods, which produces pancake syrup, also uses vegetable oil as a defoaming agent...

Isn't there more than 60 parts maple syrup to 1 part defoaming agent?

4. Talmud Bavli Beitzah 4b (Davidson Edition translation)

אמר רב מתנה עצים שנשרו מן הדקל לתוך התנור ביום טוב מרבה עליהם עצים מוכנים ומסיקין...

Rav Mattana said: With regard to branches that fell from a palm tree directly into an oven on a Festival, one may add to those branches wood prepared from the previous day, which may be used for kindling, and kindle them all together...

והא קא מבטל איסורא לכתחלה ותנן אין מבטלין איסור לכתחלה הני מילי בדאורייתא אבל בדרבנן מבטלין

The Gemara challenges this: But doesn't he thereby nullify a prohibited item ab initio, by adding permitted wood to the pieces of wood that fell into the oven, which are prohibited? And we learned in a mishna (see Terumot 5:9): One may not nullify a prohibited item ab initio. The Gemara answers: That principle applies only to items prohibited by Torah law; but with regard to items prohibited by rabbinic law, as in this case involving the prohibition of muktze, one may nullify the prohibition ab initio.

5. Tosfot to Pesachim 30a, d.h. lishahinhu

...הא תנן אין מבטלין איסור לכתחלה ואפ"ל איסורא דרבנן אין מבטלין דאם לא כן מה הועילו חכמים בתקנתם שאסרו עד ששים הואיל שיכול להוסיף ולבטל האיסור

...But it was taught that one may not nullify a prohibited substance ab initio, and even a Rabbinically prohibited substance may not be nullified, as if this is not so, what did the Rabbis gain with their enactment, in which they prohibited a mixture of up to sixty times, since one may anyways add [kosher food], and nullify the non-kosher.

6. Responsa Chatam Sofer 1:129

וטעמא שלא לבטל איסור, דא"כ לא שבקת איסור בעולם, וכעין שכתבו תוס' פסחים למ"ד ע"א ד"ה לשהינהו

The reason not to nullify a prohibited substance [is] that if so, no prohibition remains in the world, similar to what Tosfot wrote (Pesachim 30a, d.h. lishahinhu)

7. Responsa Chatam Sofer 2:319

והנלע"ד דודאי מוכח מן התורה שלא לבטל אי' לכתחלה דאלת"ה למה נשליך טרפה לכלב ונבלה לנכרי ולגוי ולמה לא נבטלנו...

And behold, it seems to me that certainly, it is proven from the Torah that one may not nullify a prohibited substance ab initio, as if one does not say this, why [must] we throw a tereifah to a dog, and give a neveilah to a non-Jew? Why can't we [simply] nullify it?

8. Shulchan Aruch Yoreh Deah 99:5

אין מבטלין איסור לכתחלה ואפילו נפל לתוך היתר שאין בו שיעור לבטלו אין מוסיפין עליו היתר כדי לבטלו עבר וביטלו או שריבה עליו אם בשוגג מותר ואם במזיד אסור למבטל עצמו אם הוא שלו וכן למי שנתבטל בשבילו (ואסורים למכרו גם כן לישראל אחר שלא יהנו ממה שבטלו) (ארוך כלל כ"ד) ולשאר כל אדם מותר:

One may not nullify a prohibited substance ab initio, and even if it [already] fell into permitted substance which does not have enough volume to nullify [the prohibited substance], one may not add permitted substance in order to nullify [the prohibited substance]. If one transgressed [this prohibition] and nullified [the prohibited substance], or they increased [the amount of permitted substance in order to nullify the prohibited substance which had already been mixed in], if it was accidental, it is permitted, and if it was intentional, it is prohibited to the person who nullified it if it was intended for one's own use, and so too for anyone who it was nullified on behalf of (*and it is prohibited to sell it to another Jew so that they should not benefit from the nullification; Aruch 24*), but for all other people, it is permitted.

9. Shulchan Aruch Yoreh Deah 84:13

דבש שנפלו בו נמלים יחממנו עד שיהא ניתך ויסגנו:

10. Pischei Teshuvah Yoreh Deah 84:10

יחממנו. עט"ז וש"ך דאין זה מבטל איסור כיון דאין כוונתו לכך ועיין (בתשובת נו"ב חיו"ד סי' כ"ו) בהג"ה שכתב דזה לא שרי אלא היכא שכבר מעורב כמו הכא אבל לערב לכתחלה אסור ע"ש וכן כתב (בנו"ב תניינא סימן נ"ו) (וני"ז) ע"ש (בסי' מ"ו). ועיין בנ"צ מ"ש בזה ובארתי שם שדעת הרבה פוסקים אינו כן:

The wrong cook?

11. Talmud Bavli Avodah Zarah 38a (Davidson Edition translation)

אלא מדרבנן וקרא אסמכתא בעלמא

Rather, the cooking of gentiles is prohibited by rabbinic law, and the verse is cited as a mere support.

12. Rashi to Avodah Zarah 38a

מדרבנן - שלא יהא ישראל רגיל אצלו במאכל ובמשתה ויאכילנו דבר טמא:

13. Rabbi Moishe Dovid Lebovits, Bishul Akum – The Basics (Halachically Speaking 7:1)

There are a number of reasons for this gezeirah [decree – ED]. The opinion of Rashi is that chazal [the Sages – ED] wanted to prevent socializing with non-Jews, which might lead to intermarriage (chasnus). Rashi in Meseches Avodah Zarah says that we are concerned that the non-Jew will mix in a non-kosher item into the food.

14. Rabbi Moshe Heinemann, Food Fit for a King: Reviewing the Laws of Bishul Akum and Bishul Yisrael, Star-K.org

Occasionally, there may be circumstances where both ingredients and equipment are 100% kosher and through a violation of a Rabbinic ordinance some foods or food products would be prohibited, while other food products undergoing the very same process would remain 100% kosher. This disqualifying process occurs when certain foods are totally and exclusively cooked by an aino Yehudi, a person who is not required by the Torah to keep kosher. When a kosher raw chicken is boiled in a pot of water by an aino Yehudi it is as non-kosher as chicken cooked in butter! Our Rabbis call this disqualification bishul akum, literally, food cooked by a person not required by the Torah to keep kosher. There are two reasons why our Chachomim, Sages, enacted this ordinance: First, as a precaution against inadvertently eating non-kosher food; second, as a prevention against unnecessary socialization that could lead to intermarriage.

In situations where bishul akum would present a problem, our Chachomim have instructed us that this disqualification can be avoided by having the observant Jewish homemaker or a mashgiach, a kosher supervisor, perform an integral part of the cooking process, such as turning on the fire. When a Yehudi, an observant Jew, assists in the preparation, we say that the food is prepared through bishul Yisroel.

15. Shulchan Aruch Yoreh Deah 113:1 (Wikisource English translation)

דבר שאינו נאכל כמו שהוא חי וגם עולה על שלחן מלכים ללפת בו את הפת או לפרפרת שבישלו עובד כוכבים אפילו בכלי ישראל ובבית ישראל אסור משום בישולי עובד כוכבים:

A food that is not eaten when it is raw and is served at a kings table, to spread on bread or as a dessert, which was cooked by a non-Jew, even in the pots of Jews and in the house of a Jew, it is forbidden because it was cooked by a non-Jew.

16. Star-K Ask the Rabbi, https://www.star-k.org/prev_questions

I am thinking of taking my kids to a "maple sugaring" event. One of the things offered is tasting the maple syrup when done. Is there a prohibition of bishul akum on maple syrup? Although it is edible when it comes out of the tree, it is normally cooked in order to concentrate it, and it is not normally eaten raw without this cooking. If there is no bishul akum, are there any other kashrus issues involved?

The prohibition of bishul akum does not apply to foods which are sometimes eaten raw. I am not sure to what extent maple syrup is eaten raw. However, there is another reason why bishul akum does not apply here. Maple syrup is not eaten by itself but is just used to give taste to a dish, and is therefore not called 'oleh al shulchan malochim' (it is not served by itself at a prestigious meal). Pouring maple syrup over food is no different than sprinkling sugar, and there is no bishul akum by sugar. For this reason, there is no problem of bishul akum with maple syrup. Having said that, there may well be other kashrus concerns with the equipment that they are using to cook the maple syrup.

17. Tosfot to Avodah Zarah 38a

איכא בינייהו דגים קטנים וארדי ודייסא - פי' שאינם נאכלים חיים ואין עולין על שולחן מלכים ואור"ת דמדנקט הני ולא נקט דבש וגבינה שעולין על שולחן מלכים ונאכלים חיים...