

RABBI SHIMON D. EIDER

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שמעון דוד איידער

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נס"ד

Recommendations Submitted to the New York State Advisory Board for
Kosher Law Enforcement, November 17, 1988

1. Kosher Enforcement must have the power and the tools to act swiftly, unimpeded. They must have the ability to confiscate evidence. Fines and penalties must be effective deterrents. Mislabeled packages should be recalled immediately even where there was no malicious intent, and even when the product is kosher. Where there was malicious intent, there should be heavy penalties per package offered for sale. The burden of errors in mislabeling should be on the manufacturer. The manufacturer should be required to publicize mislabeling for those who purchased it before recall.

2. There must be uniform symbols to protect the consumer. P should be used for Passover, and the word Pareve should be used where applicable. Any product which has kosher certification should not use the term 'Non-dairy' if it is not Pareve.

There must be a uniform system of identification to differentiate between similar products produced for Passover and the entire year. If a product has Hebrew markings, it must say clearly in English 'Kosher for Passover' or 'Not for Passover use'. Different colored labels should be required where the same exact product is produced the entire year with chometz and for Passover - without chometz, e.g. matzah and matzah products, vinegar, horseradish, ketchup, mayonnaise and margarine.

3. Where a product, hotel, restaurant, nursing home or caterer claims to be kosher, there must be a mashgiach or a system employed for inspecting vegetables for insects. Businesses and caterers must be held accountable for serving vegetables with insects just as they would be found accountable for serving non-kosher meat or fish.

4. The problem of private labels must be addressed. In conjunction with the federal government, every food manufacturing and processing facility in the United States and in countries from which we import should be assigned a plant number and there should be a state requirement for displaying these plant numbers on all packages. A requirement should be enacted that any food product sold in New York State must have on it a plant number, which must be registered by the New York State Department of Agriculture, with heavy penalties for fraudulent misrepresentations.

5. There should be a way of identifying who the K on a product is. Possibly using numbers after the K (e.g. K1, K2). In this manner, if one rabbi drops a certification because of violations or for any other reason, or a certification is changed from one certification to another (e.g. from one with more stringent standards to one with inferior standards) the public would learn this by the change of the K number. A listing of who is K1, K2 etc. should be available upon request from the Department of Kosher Enforcement.

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6. Where a product is produced under the certification of a rabbi but he was not personally present, it should not say "'Supervised by Rabbi ___'" and especially not "'Personally supervised by Rabbi ___'", It should say "'Certified by Rabbi___'".

7. Where livers are packed in chickens [as is sold in super-markets], this should be clearly printed on the package in red or in a different color than the regular packaging, preceded by the word "'Caution:'".

8. Although the state cannot and should not be involved in establishing kashrus standards, uniform standards which ACKO [Associated Communal Kashrus Organizations] is in the process of adopting can be used as guidelines to distinguish between responsible certifications and charlatans.