



Daf HaKashrus

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THE KASHRUS OF BUTTER

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Much More Than Meets the Eye



Butter is one of the most deceptively complicated dairy products for the kosher consumer. Due to its seeming simplicity (butter is concentrated cream, with salt occasionally added), there is a misconception that kosher certification is not needed.

Let's take a look at butter manufacture and its resultant kashrus concerns. (Although we would normally present the ingredients first, we'll save the excitement for last.)

PRODUCTION

Cream, which is liquid dairy fat, is *aged*. It is held at cool temperatures in a tank for 12-15 hours in order for its fat to crystallize properly, so as to prepare it for *churning*.

Next, the cream is pasteurized and is then churned. The churning process, which ideally occurs at 55-65° F, agitates

the cream and causes its fat solids to cluster together into *butter grains*. The leftover liquid from this process, which has lower concentrations of fat (but is nonetheless pretty fatty), is called *buttermilk*. (It should be noted that retail buttermilk is actually not derived from butter production and has nothing to do with actual buttermilk; rather, retail buttermilk is milk that contains buttermilk flavors and cultures.)

The butter grains are worked together to create consistency, after which they may be salted. They are then molded into shape and packaged.

Some butter is made from cream that has been cultured. This involves *ripening* the cream prior to churning, by dosing it with bacteria that convert the cream's lactose (dairy sugar) into lactic acid, thereby endowing it with a pungent taste. This type of butter is called *cultured butter*, and is especially popular and common in Europe. Some American butter manufacturers also produce cultured butter.

The ingredient panel on butter often includes "butter flavor" or "natural flavor". These two designations refer to *starter distillate*, which is the steam distillate of cultured skim milk. This distillate has a very potent buttery taste and is often added to grade AA butter, which is rather bland-tasting without the inclusion of salt or added flavor.

INGREDIENTS

This is where the fun begins, so to say. Although people typically identify the word "cream" as referring to the fatty component of milk – such cream is industrially termed *sweet cream* –

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there is a second type of cream that can be used in butter manufacture. This second type of cream, called *whey cream*, is the fatty component of whey, derived from cheese production. Although sweet cream is kosher, as it is a natural part of milk, whey cream is often not kosher, as it comes from whey, which is highly kosher-sensitive. (Please see the 5776/2016 *Consumer Daf HaKashrus* for more information about the kashrus of whey, at oukosher.org/content/uploads/2016/11/2016-issue-10-shavuos.pdf.)

Some companies manufacture butter from whey cream; this butter is called *whey cream butter* or *whey butter*. And some companies manufacture butter from a blend of sweet cream and whey cream.

Before approaching actual kashrus concerns, we must speak about *butter grading*. Butter is graded not on its actual quality, but rather on its purity of taste and texture. In technical terms, butter is graded *organoleptically*. The higher the grade, the more pure (bland and smooth) the butter. Here are the basic butter grades of the USDA (from *Butter Grades and Standards* - www.ams.usda.gov/grades-standards/butter-grades-and-standards):

U.S. Grade AA butter conforms to the following: Possesses a fine and highly pleasing butter flavor. May possess a slight feed and a definite cooked flavor. It is made from sweet cream of low natural acid to which a culture (starter) may or may not have been added.

U.S. Grade A butter conforms to the following: Possesses a pleasing and desirable butter flavor. May possess any of the following flavors to a slight degree: Acid, aged, bitter, coarse, flat, smothered, and storage. May possess feed flavor to a definite degree.

U.S. Grade B butter conforms to the following: Possesses a fairly pleasing butter flavor. May possess any of the following flavors to a slight degree: Malty, musty, neutralizer, scorched, utensil, weed, and whey. May possess any of the following flavors to a definite degree: Acid, aged, bitter, smothered, storage, and old cream; feed flavor to a pronounced degree.

Typically, Grade AA butter is made from sweet cream, as whey cream, which is tangy and less smooth due to its cheese origins, would result in a lower grade product. Grade A and Grade B butter are normally made from whey cream, although they may also contain some sweet cream.

KASHRUS CONCERNS

Based on the above, one would think that Grade AA butter is inherently kosher. In fact, the above-cited USDA document states that Grade AA butter comes from sweet cream. Nonetheless, the OU has been told by industry experts that even Grade AA butter could include whey cream, so long as the butter meets the organoleptic threshold for a Grade AA product. This is one reason that a person should not purchase butter without reliable kosher certification.

Furthermore, whey cream is not always identified as an ingredient in butter that contains it. Such butter – which is commonly sold on the retail level as Grade A (not Grade AA) product – commonly lists mere “cream” in its ingredient panel.

Even assuming all AA Grade butter would be manufactured exclusively from sweet cream, such butter very often contains added flavor (starter distillate), which is highly kosher-sensitive and requires tight hashgocho. Similarly, the cultures used in cultured butter are highly kosher-sensitive and necessitate careful supervision.

Butter facilities at times handle various types of cream. Some butter facilities produce sweet cream and whey cream butter, and these products are manufactured on shared equipment. Other butter facilities also process fluids other than cream; these facilities are all-purpose dairy plants, which may process juices (including grape juice) and totally unexpected other bulk fluids. (I am quite familiar with one butter manufacturer that spray dries non-kosher chicken broth and liquefied non-kosher cheese into powder.) One can never know what

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else goes on in a butter facility. For this and the above reasons, the OU does not accept butter without fully reliable kosher supervision, including the mashgiach verifying the kosher status of every load of cream that is received for use.

Rav Belsky zt"l explained that even though there is a widespread custom for many people who only consume cholov Yisroel products to use cholov stam butter (v. Shulchan Aruch - Yoreh Deah 115:3), the presence of starter distillate in butter negates this heter, as starter distillate, which is a separate cholov stam ingredient added to butter, is not exempted from cholov Yisroel requirements even according to the position that would otherwise permit cholov stam butter.

OTHER RELATED PRODUCTS

Butter has a few "cousins"; they are worth meeting, while we are on the topic.

Clarified butter is butter of a higher fat concentration. It is manufactured by melting butter, which causes fat solids to rise to the surface; these fat solids

are then skimmed off and are formed into clarified butter.

This separation of fat solids from butter can also be achieved by centrifugation; the resultant product is called *butter oil*.

Anhydrous milkfat (AMF) is butter oil, but with a higher milkfat concentration. (Butter oil is 99.3% milkfat, whereas AMF is 99.8% milkfat.)

Ghee, which is the sibling of clarified butter, is produced by simmering butter and gathering together the fat that precipitates out..

Needless to say, butter's "cousins" share its needs for reliable *hashgocho*. In fact, there are numerous additional ingredient and equipment concerns that arise with these products, and reliable kosher certification is hence an absolute must.

Kosher certification of butter entails much detailed work. It can be rough, but it is doable and is done quite well. The result for the consumer is butter with an AA kashrus grade, whose smooth texture and flavor are matched only by the smooth and thorough kosher systems set in place by the OU.

OU KOSHER HALACHA YOMIS ON SILVER AND TORAH DONATIONS

IF I GAVE A SILVER CROWN OR BREAST PLATE FOR THE TORAH TO A SHUL, MAY I ASK FOR IT BACK?

The best way to be certain that you retain the ability to ask for the return of the silver is to have this clearly stipulated in a *shtar* drawn up between the donor and the officers of the shul (Mishna Berura 153:18). However, what happens if no document was drawn up? The Maharik (Shoresh 161) says that in such a case, it is considered to have been given to the shul as a gift and not as a loan. The Mechaber (OC 153:18) codifies the Maharik's view as the Halacha.

On the other hand, the Magen Avraham (OC 153:43) says that if no *shtar* was written to the contrary, the minhag in his time was to consider the silver as a loan to the shul and not as a gift. The Machatzis HaShekel explains that due to the extreme poverty in the Magen Avraham's times, people would not usually give the silver as a gift since they were afraid of falling on bad times. It was assumed that the silver was therefore only on loan to the shul. In the Maharik's time, when the Jews were more affluent, people gave gifts of silver to the shul. It is interesting to note that the Magen Avraham himself was so poor that when he could not afford to buy paper, he would write his commentary on Shulchan Aruch on the walls of his house!



ARE SILVER OBJECTS GIVEN TO A SHUL TODAY, CONSIDERED A GIFT OR A LOAN?

In a novel position, Rav Yaakov Breish (Chelkas Yaakov OC siman 43) says that in our times the ruling of the Magen Avraham (quoted in the previous Halacha Yomis) may no longer apply. In places like the United

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States, where we live affluent and luxurious lives, it can be assumed that a donation to a shul of silver items is made as a gift and not as a loan. He posits that no one even dreams of giving silver items as a loan. People of means do not think of falling on hard times. Their donations are thus given as a gift. The Kaf HaChaim (OC 153:153), writing at the beginning of the twentieth century, also says that in his time, the only way to consider a donation of silver as a loan to the shul is to clearly stipulate this in a *shtar*. Otherwise, it remains a gift to the shul by default.

In practice, it is best to consult one's local rabbi for guidance.

I GAVE A SEFER TORAH TO MY LOCAL SHUL BUT NOW I AM MOVING TO ANOTHER LOCATION. MAY I TAKE THE SEFER TORAH WITH ME?

The Mishna Berura (153:99) says that the best way to assure that one retains the right to take the Sefer Torah with him is to stipulate when he gives the Sefer Torah (e.g. in a *shtar*) that he is only lending it to the shul and not gifting it to the shul. However, the Mishna Berura (ibid.) concludes that even if this was not done, one may take his Sefer Torah from the shul. Even the Mechaber (OC 153:18), who regarding silver given to a shul rules that it is considered a gift and not a loan, agrees that a Sefer Torah is considered a loan and not a gift (Mechaber 153:20).

There are two reasons given for the distinction between silver and a Sefer Torah given to a shul. The Shach (YD 259:6) says people give a Sefer Torah to a shul to have it read in public and also for it to be stored in the shul's Aron HaKodesh, which is the ideal place to house a Sefer Torah. The fact that the Sefer Torah is in the Aron therefore does not indicate that the Sefer Torah was gifted to the shul.

Rav Moshe Feinstein zt"l (Igros Moshe OC 1:52) gives another compelling reason for the difference between giving silver or a Sefer Torah to a shul. R. Akiva Eiger (YD 270:1) maintains that the mitzva of writing a Sefer Torah requires that the Sefer Torah remain in one's possession. Thus, if the owner of the Sefer Torah gifts it to the shul he would lose the mitzva of writing a Sefer Torah. Even if one did not know this halacha and thinks he is doing a mitzva by gifting a Sefer Torah to the shul, this would be considered a case of making something holy by mistake (*hekdesch beta'us*) which is not effective.



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