

HALACHICALLY SPEAKING

SPECIAL ISSUE



{ TOPIC }

THE HALACHOS AND KASHRUS OF CHOCOLATE



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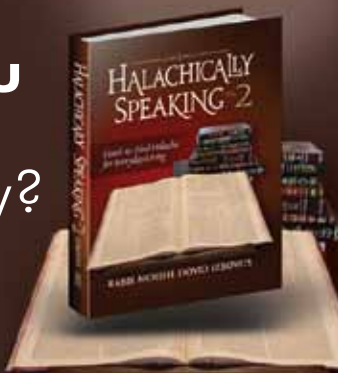
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► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of Harav Yisroel Belsky, Shlita on current issues.

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The Halachos and Kashrus of Chocolate

A visitor to a supermarket is struck by the vast array of chocolate items for sale, such as candies, chocolate cake, chocolate milk, chocolate cookies and the like. There is also a vast array of *halachic* issues which apply to chocolate. Is one allowed to drink hot chocolate before *davening*? What *beracha* is made on chocolate? Is a *beracha achrona* recited on hot cocoa? What *beracha* is made on chocolate covered products, such as chocolate covered raisins? How is a chocolate machine *kashered*? Does *bishul akum* apply to chocolate? These questions as well as others will be answered at length in this article.

Background – Chocolate Manufacturing

Chocolate is born in a cacao tree. The tree produces a fruit about the size of a small pineapple. Inside the fruit are the seeds known as cocoa beans. The beans are roasted to bring out the flavor, and are then winnowed to remove the meat of the bean from the shell. This is known as a nib. Cocoa beans are half fat. Therefore, the nibs turn into a liquid when ground, called chocolate liquor. If the chocolate liquor were allowed to cool and solidify, it would be unsweetened chocolate. Another option is to squeeze out the fat from the cocoa bean. The resulting dry bean can be ground into cocoa powder.

Our chocolate products have added ingredients such as sugar, milk (see below), and other flavors. The chocolate goes into a conch, which is a machine that refines the

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chocolate and blends it into a smooth paste (see below regarding *kashrus*). Milk chocolate is a combination of chocolate liquor, milk, sugar and cocoa.

Drinking Hot Chocolate Before *Davening*

Since hot chocolate is a rich drink made with a lot of milk, it is questionable if it is permitted to drink prior to *davening*.

***Beracha* on a Hot Drink**

One should make sure that he can drink the beverage before reciting the *beracha*.¹ Therefore, one should allow his hot cocoa to cool before reciting a *beracha*.

Chocolate During a Meal

One who eats chocolate during a bread meal must recite a *shehakol* on it, as it is not covered by the *beracha* recited on bread.²

***Beracha* on Chocolate**

The *halacha* is that a food which is normally consumed only after being ground retains its original *beracha*.³ The *Shulchan Aruch*⁴ applies this to sweetened ground spices. Since spices are routinely powdered, the *beracha* is *ha'etz*. Accordingly, the *beracha rishona* on chocolate should be a *ha'etz* since it comes from the cocoa bean which is the fruit of a tree.⁵ However, the overwhelming custom is to recite a *shehakol* on chocolate since the bean is altered

1. Elya Rabbah 202:1, Mishnah Berurah 206:12, Aruch Ha'shulchan 202:11, Kaf Ha'chaim 206:22.

2. Shevet Ha'Levi 1:205:174, Piskei Teshuvos 174:3. See Rivevos Ephraim 7:267:page 219.

3. Refer to Shulchan Aruch O.C. 203:7, Magen Avraham 202:18, Mishnah Berurah 203:12, Shar Ha'tzyion 19.

4. 203:7.

5. Refer to Mekor Haberacha 21, Chai Ha'Levi 2:19, Ohr Yitzchok 57.



when it is processed into chocolate.⁶ Others explain that the chocolate in the bean is not eaten as is, and is mixed with other ingredients. Therefore, it is considered the *miyut*⁷ (minor ingredient) and the *beracha* is a *shehakol*.⁸ Another explanation is that when the bean is modified to the liquid state, it is a new entity which is not recognizable that it came from a bean at all. Therefore, its *beracha* would change to a *shehakol*.⁹ In any case, the custom is to recite a *shehakol* on chocolate.¹⁰

B'dieved

One who recited a *ha'etz* on chocolate was *yotzei b'dieved* and does not have to recite a *shehakol*.¹¹

Beracha Achrona

There is a big discussion in the *poskim* regarding a *beracha achrona* on a hot drink (i.e. coffee, tea or hot cocoa), since one does not drink the liquid within the allotted *shiur* (*kedi sh'tiyas revii*s).¹² Some say that since these beverages

6. Refer to Sharei Teshuva O.C. 202:19, Igros Moshe O.C. 3:31, Pnei Ha'shulchan pages 102-103, Pischei Teshuvos 202:29.

7. According to this opinion, if the chocolate is the majority of the mixture in the product then a *ha'etz* should be recited (Minchas Shlomo 1:91:2).

8. Minchas Shlomo 1:91:2.

9. Tzohar 8:pages 500-502.

10. Opinion of Harav Shlomo Zalman Aurbach zt"l quoted in V'sein Beracha page 416:footnote 53, Vezos Ha'beracha page 103 quoting the opinion of Harav Elayshiv Shlita, Rivevos Ephraim 8:134, Ohr L'tzyion 2:14:5:footnote 5, Shevet Ha'Levi 7:27:2, Teshuvos V'hanhugos 1:187, Ve'aleihu Lo Yeibol 1:page 110:140, Avnei Yushfei 5:38:1. This applies to both milk chocolate and regular chocolate (Refer to Pnei Ha'shulchan pages 102-103).

11. Opinions of Harav Shlomo Zalman Aurbach zt"l and Harav Elyashiv Shlita, quoted in V'sein Beracha page 416:footnote 55, see Vezos Ha'beracha page 103.

12. Some say the *shiur* is about a minute (Harav Yisroel Belsky Shlita, see Seder Birchos Haneinen 8:5, Shar Ha'tzyion 210:11). Harav Zilber Shlita says it means about two minutes (Vezos Ha'beracha page 351). Refer to Rivevos Ephraim 4:53 who says the *shiur* is twenty seconds. Refer to Kashrus Kurrents from the Star-K who says the *shiur* is thirty seconds. Others say it means three sips (Vezos Ha'beracha page 227).

are intended to be consumed hot, a *beracha achrona* may be recited, as it is the *derech* to sip them slowly.¹³ However, the opinion of many *poskim* is that a *beracha achrona* is not recited.¹⁴ Others say that in order to go satisfy all opinions, one should let a *reviis* of the drink cool off at the end and recite a *boreh nefoshos* on that *shiur*.¹⁵ Some *poskim* suggest that one should put a sugar cube in his mouth so that the *beracha achrona* on the sugar will exempt the coffee, tea or hot cocoa.¹⁶

Sucking on Chocolate

No *beracha achrona* is recited if one sucks on chocolate without biting it, since it is not the normal manner of eating.¹⁷ In addition, the amount of chocolate that would require a *beracha achrona* is not consumed within the *shiur* of *kedei achilas pras*.

13. Maharam Shik O.C. 85, Melamed L'huyel O.C. 1:25, opinion of Harav Vosner Shlita quoted in Sharei Ha'beracha page 304:footnote 42. Refer to Halachos Ketanos 1:9, Sharei Teshuva 204:12, Panim M'eros 2:27, Shulchan Aruch Harav in Seder Birchos Haneinen 8:6, Da'as Torah 204:7, Teshuvos V'hanhugas 2:135 quoting the opinions of the Chasam Sofer and the Divrei Chaim, Pnei Ha'shulchan pages 284-285, Betzel Hachuchma 3:114:5, Shevet Ha'Levi 1:-42:13. The opinion of Harav Vosner Shlita is that a *boreh nefoshos* is recited even if it took longer than the *shiur* of *sh'tiyas reviis* (Quoted in Sharei Ha'beracha page 304:footnote 42. The reason is because some say the *shiur* that one has to drink is from 2-9 minutes). Opinion of the father of the Piskei Teshuvos quoted in Piskei Teshuvos 688:footnote 23, opinions of Harav Elyashiv Shlita quoted in Vezos Ha'beracha page 227, Shemiras Shabbos K'hilchoso 54:footnote 96 quoting the opinion of Harav Shlomo Zalman Aurbach zt"l. See Maharam Shik O.C. 263, Divrei Yisroel 3:159:2. Some say one should drink it within two minutes (Refer to Vezos Ha'beracha page 228, Avnei Yushfei 1:41).

14. Ben Ish Chai Massei 1:9, Birchei Yosef 204:5, Moreh B'etzvah 3:96, Chai Adom 50:15, Nishmas Adom 1:50:5, Kitzur Shulchan Aruch 51:6, Mishnah Berurah 210:1, Aruch Ha'shulchan 202:7, Kaf Ha'chaim 204:40, Yabea Omer O.C. 5:18 in great depth, Rivevos Ephraim 1:131, 4:53, , 5:166, 8:86, see 8:475, E'ven Pina 1:9:page 9, Ohr L'tzyion 2:14:27, Yabea Omer O.C. 5:18. Some say no *beracha achrona* is recited on coffee even one has ice coffee since one is not used to making a *beracha achrona* on it (Ohr L'tzyion ibid:footnote 27).

15. Be'er Heitiv 204:12, Mishnah Berurah 210:1, Birchos Habayis 16:14, Yabea Omer O.C. 5:18, Rivevos Ephraim 2:77:page 129, see Aruch Ha'shulchan ibid.

16. Harav Yisroel Belsky Shlita, see Maharam Shik O.C. 85.

17. Yabea Omer O.C. 8:25:2:6, Chazzon Ovadia Berochos page 146.

Chocolate Products

Chocolate Covered Raisins - If one likes both the raisins and the chocolate, the opinion of *Harav Moshe Feinstein zt"l*¹⁸ is that two *berachos* are recited. First recite a *shehakol* on the chocolate, and then a *ha'etz* on the raisin. When reciting the *shehakol*, one should have in mind not to exempt the raisins with the *beracha*.

Many say that a *beracha* is only recited on the majority ingredient,¹⁹ which is defined by personal preferences. If one likes both raisins and chocolate, and views the chocolate as enhancing the raisin, then the *ha'etz* on the raisin will exempt the chocolate from a *beracha*. If he views the raisin as an enhancer, then the *shehakol* on the chocolate will exempt the raisin from a *beracha*.²⁰

The same discussion applies to chocolate covered fruits or other items.

Chocolate Bar with Almonds - Almonds in a chocolate bar are the minority and an enhancing ingredient; therefore, the *shehakol* on the chocolate covers the almonds as well.²¹

Chocolate Covered Peels - A food which is normally not eaten alone and is covered in chocolate would only require a *shehakol* on the chocolate. One example is chocolate covered orange peels.²²

18. Igros Moshe O.C. 3:31. See Rivevos Ephraim 4:54:16, Be'er Moshe 1:7, 5:65, Oz Nedberu 3:51, 5:14.

19. V'sein Beracha page 417:footnote 61 quoting the opinion of Harav Shlomo Zalman Aurbach zt"l, Vezos Ha'beracha page 97 quoting the opinions of Harav Shlomo Zalman Aurbach zt"l and Harav Elyashiv Shlita. Refer to Star-K Kashrus Kurrents (topic: The Sweetest Fruit of Them All) quoting the opinion of Harav Moshe Heinemann Shlita.

20. V'sein Beracha page 417. See Pischei Halacha (Berochos) page 345 who says chocolate covered almonds are a *ha'etz*.

21. V'sein Beracha page 26 (Handbook), Vezos Ha'beracha page 96, Miyum Ha'halacha 1:31. Refer to Avnei Yushfei 1:39:4 about the *beracha* on chocolate covered *matzah*.

22. V'sein Beracha page 416, Handbook page 27.

Chocolate Milk - The *beracha* on chocolate milk is a *shehakol*.²³

Many chocolate products made by Elite in *Eretz Yisroel* state the *beracha* on the package.

Hilchos Shabbos – Coloring - Losh

Most *poskim* say that just as there is no problem of coloring food (according to most *poskim*) on *Shabbos*, there is also no problem of coloring drinks.²⁴ Others say that coloring drinks would be problematic.²⁵

The *poskim* say there is no concern of coloring liquids when putting milk into black coffee,²⁶ or with placing chocolate syrup into milk. (However, one must avoid any problems of *losh*).²⁷

Writing with Chocolate Syrup

Some desserts are decorated with a chocolate swirl. The question is whether this is considered writing, which would be forbidden on *Shabbos*,²⁸ or if it is a simple decoration.

The opinion of *Harav Yisroel Belsky Shlita* is that this is permitted.²⁹

23. Refer to Shulchan Aruch 204:1.

24. Bais Yosef 320, Darchei Moshe 2, Pri Megadim M.Z. 318:15, Eishel Avraham 320:22, Chacham Tzvi 92, Rav Poalim 3:11, Kaf Ha'chaim 113, Yalkut Yosef 320:9, Yesodo Yeshurin 4:pages 68-69. Refer to Zochor V'Shomer page 7, The Shabbos Home 2:page 338, Ohr Yisroel 8:Page 92. Refer to Yalkut Yosef 320:footnote 13, Yabea Omer O.C. 2:20, 10:55:pages 157-158, Yechaveh Da'as 6:23:footnote *, Shulchan Aruch Hamikutzar 62:footnote 54.

25. Elef Lecha Shlomo 136, Ben Ish Chai Pekudei 2:3, Kaf Ha'chaim ibid.

26. Ketzos Ha'shulchan 8:pages 18-30, Betzel Hachuchma 4:59, Meor Ha'Shabbos 12:footnote 67*, Toras Hamelochos page 185, Klalim page 371.

27. Oz Nedberu 5:12:1.

28. Shulchan Aruch 340:5, Mishnah Berurah 24.

29. OU document S-18.



above). Chocolate companies are unwilling to introduce water to the chocolate machines, since it can potentially damage the product. An alternative may be to run chocolate through the system once and consider it *kashered*. However, this approach is a dispute among *poskim*.

The *Rama*³⁷ says that one should not *kasher* with any liquid other than water,³⁸ but *b'dieved* one is allowed to use “other liquids” to *kasher*.³⁹ A pressing situation has the status of *b'dieved*.⁴⁰ Based on the above, some *kashrus* organizations permit a company to make dairy and *pareve* chocolate on the same equipment after a “*kashering*” of chocolate in between.⁴¹ Those who do *kasher* with chocolate do not have to wait twenty-four hours before *kashering*.⁴²

The opinion of the OU is that since chocolate becomes solid at room temperature it may not be used for *kashering*.⁴³ This applies even if one were to follow those opinions that permit *kashering* with other liquids.⁴⁴ Therefore, their policy is to have two separate systems for *pareve* and

37. O.C. 452:5, Shulchan Aruch Harav 28, Aruch Ha'shulchan 19. For those who are lenient to *kasher* with “other liquids” refer to Pri Chadash 452:5, Kaf Ha'chaim 452:58, Hagalas Keilim page 226:footnote 1.

38. Refer to Mishnah Berurah 25.

39. Rama ibid, Shulchan Aruch Harav ibid, Mishnah Berurah 26, Shar Ha'tzyion 29, Aruch Ha'shulchan 19, Igros Moshe Y.D.

40. Refer to Shulchan Aruch Y.D. 108:3, Melamed L'hoyel O.C. 1:96. See V'Yan Yosef Y.D. 38.

41. Included in this are the *Badatz of Yerushalayim* and other European *hechsherim* (The Laws of Pesach: A Digest 2006 page 592, opinion of Dayan Westheim Shlita). Shufra Chocolate only manufactures *pareve* chocolate and do not have dairy in the plant (Ibid page 594). Schmerling is *kashered* with water or *libun* (fire) (Ibid page 594).

42. Mesora 7:page 75:6. Those who eat from companies who use chocolate as *kashering* do not have to wait after eating meat before eating this chocolate (Mesora 7:pages 74-75).

43. Refer to Igros Moshe Y.D. 1:60 (end). See Mishnah Berurah 452:26.

44. OU document I-14:page 4.

dairy chocolate.⁴⁵ Many other *kashrus* agencies follow this opinion.⁴⁶

Chocolate Candies for Children after Meat

A child three years and younger does not have to wait between eating meat and dairy. One may feed him dairy directly after meat if this is good for the child.⁴⁷ However, the child's mouth should be cleaned out well.⁴⁸ A child over three years old should be trained according to his ability to wait additional time, increasing the time each year.⁴⁹ A child 9-10 years old should wait the appropriate six hours.⁵⁰ *Harav Yisroel Belsky Shlita* holds that the child should wait six hours when he starts going to school (This is approximately 6-7 years old).

Some say that a child should not be given dairy chocolate candies until six hours have elapsed since he ate meat, since it is not something he really needs (i.e. supper).⁵¹

Bishul Akum

Chocolate which is eaten as snack is not subject to the *halachos* of *bishul akum* since snacks are not fit to be served

45. As expressed in the Manual for the Chocolate Industry (OU) page 3, OU documents K-63 and K-91.

46. Such as the KOF-K, and Star-K.

47. Yalkut Yosef pages 393-395, Divrei Chachumim Y.D. 1:2, Ve'aleihu Lo Yeibol 2:page 64:4. Refer to Nezer Ha'chaim page 214:155 who maintains that even a young one day old has to wait six hours before eating milk. This is not the *minhag*.

48. See Chanoch L'nar 29:footnote 1, Be'er Moshe 8:36:4, Shevet Ha'Levi 4:84, see Massei Ish 3:page 147.

49. See Chelkes Yaakov 2:88, Teshuvos V'hanhugos 1:435, Badi Ha'shulchan 37, Emes L'Yaakov page 306:36, Shevet Ha'Levi 4:84, Be'er Moshe 8:36:4 Yabea Omer Y.D. 1:4, Harav Moshe Feinstein zt"l said the correct age of *chinuch* in this *inyun* is if the child knows how to count hours (Pischei Halacha Kashrus 1:page 22:footnote 33).

50. Badi Ha'shulchan 37.

51. Hechsheiros 20:25.

at a king's table.⁵² In the event that one is eating a fancy chocolate served at a glamorous meal, then *bishul akum* may apply. However, since the heat from the conches (see above) is generated from the friction of the rollers, it is comparable to an alternative method of cooking⁵³ which is not subject to *bishul akum*.⁵⁴ Some say that since chocolate is a sweet and not eaten together with bread, it is not subject to *bishul akum*.⁵⁵

Chocolate syrup is not subject to *bishul akum* since it is eaten as a *tafel* to other foods at a meal.⁵⁶

Milk Chocolate

Milk chocolate is manufactured with powdered milk, as are various cakes and cookies. Powdered milk is made by spraying milk into a spray dryer, which turns the milk into a powder. Many *poskim* are of the opinion that one who is *makpid* to avoid drinking *chalav stam* should not consume powdered milk.⁵⁷ Although some *poskim* are lenient,⁵⁸ the overwhelming custom is to be stringent.

Chocolate “Gelt”

Chanukah chocolate *gelt* sometimes has the words “in G-d we trust” stamped on it. The question arises whether one is allowed to eat it, since he is erasing the name of

52. Bishul Yisroel page 148:footnote 15.

53. Refer to Shulchan Aruch Y.D. 113:13.

54. OU document H-30:page 3.

55. M'Bais Levi 8:page 40 quoting the opinion of Harav Vosner Shlita.

56. OU document M-7.

57. Harav Yisroel Belsky Shlita, see Chazon Ish Y.D. 41:4, V'Yan Yosef O.C. 113, Yaskil Avdi Y.D. 5:9, Shearim Metzuyanim B'halacha 38:8, Chelkes Yaakov Y.D. 35, Teshuvos V'hanhugos 2:373, Chelkes Binyomin 115:1 biurim “chalav,” opinion of the Star-K Kashrus Kurrents, Tzohar 3:pages 33-34.

58. Har Tzvi Y.D. 103 in depth, Zekan Aron Y.D. 44, see Tzitz Eliezer 16:25:3, Kashrus 2:page 351.

Hashem (albeit in a different language).⁵⁹ Some say that *l'chatchilah* one should not purchase such chocolates; however, if they were already purchased they can be eaten, for eating is not considered erasing since it is the normal manner to eat it.⁶⁰ Others say that one can purchase it even *l'chatchilah* and rely on those *poskim* who maintain that it is permitted to erase the name of Hashem in a different language. This seems to be the custom of most people.⁶¹



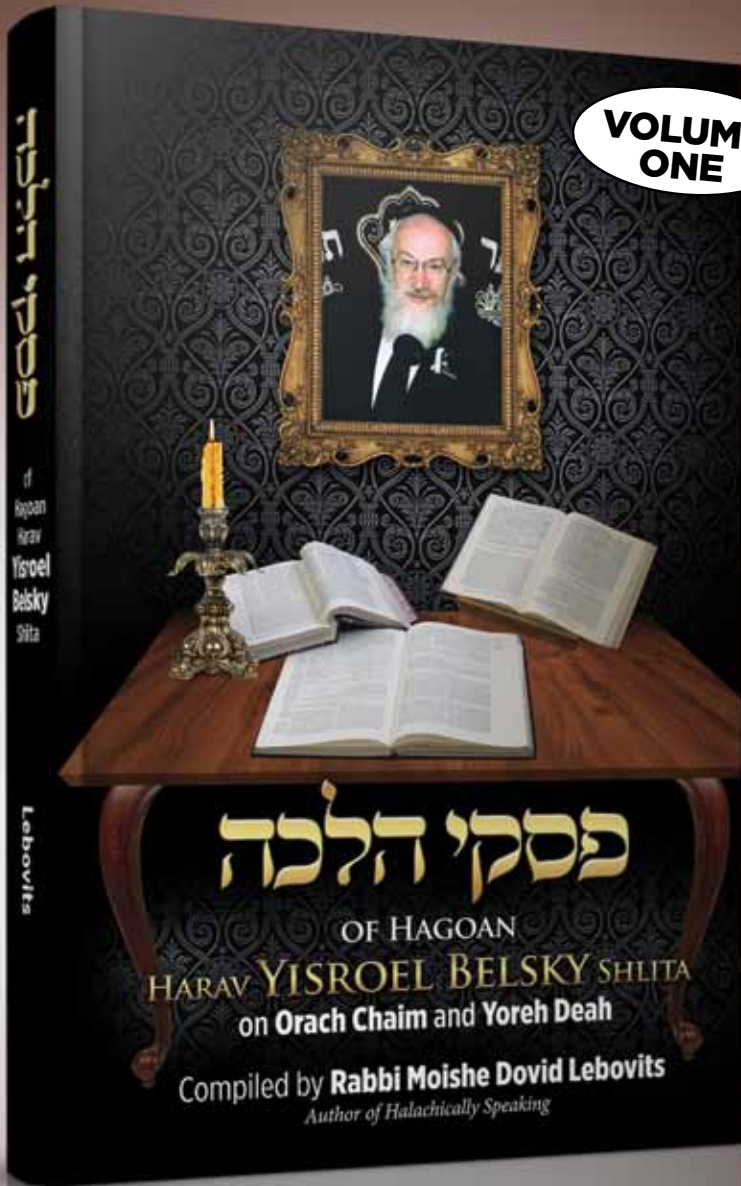
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59. Refer to Shach Y.D. 276:11, Pischei Teshuva 11, 19, Mishnah Berurah O.C. 85:10, Aruch Ha'shulchan Y.D. 276:24, C.M. 27:3, Ginzei Hakodesh 7:footnote 24.

60. Ve'aleihu Lo Yeibol 2:page 120:119.

61. Harav Yisroel Belsky Shlita.

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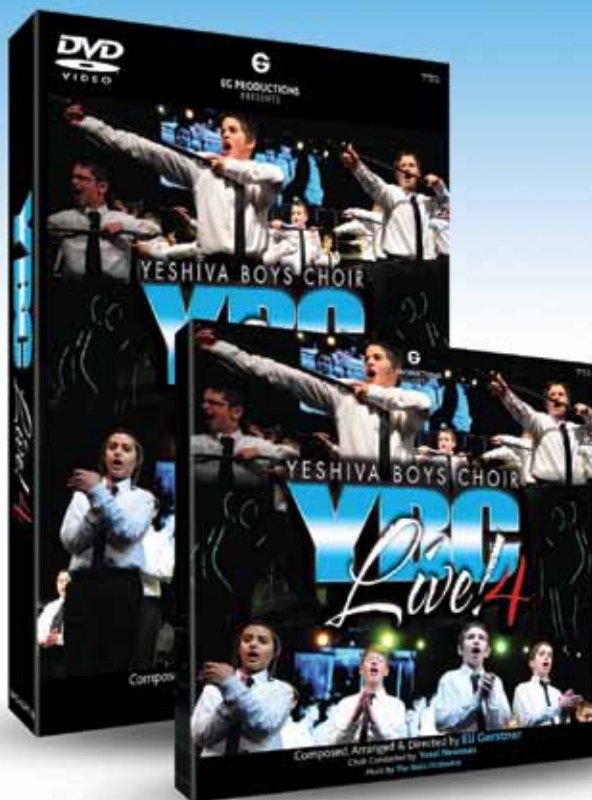
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