



# Enjoying the Milk of *Eretz Yisrael*

The Torah describes our land as “*eretz zavat chalav u’dvash*” (*Shemot* 3:8), a land flowing with milk and honey. Most commentators understand that the Torah is referring to goat’s milk and date honey (see *Mechilta D’Rashbi* 13:5). While the dairy industry in Israel is highly accommodating to kashrut standards, various concerns remain regarding the kashrut of milk.

### POWDERED MILK

Powdered milk, a common ingredient in many chocolates and sweets, is essential in the food industry due to its long shelf life and ease of transport. It is produced through a spray-drying process, in which milk is dried into a solid powder using hot gas and air pressure.

Halachic authorities discuss the status of

milk powder considering the prohibition of non-Jewish milk. If the milking process was carried out by a Jew or under Jewish supervision, it is considered *chalav Yisrael*. However, what is the status of powdered milk produced from *chalav stam* or even *chalav nochri*?

Authorities who follow the ruling of Rav Moshe Feinstein generally permit milk powder produced from regular milk in countries where there is strict government supervision of the dairy industry. An even greater leniency was put forth by the former Chief Rabbi of Jerusalem, Rav Tzvi Pesach Frank (1873–1960). Rav Frank, in his responsa *Har Tzvi* (YD 103–104), permitted milk powder produced from non-Jewish milk. He based his ruling on several arguments, one being that since the milk has been transformed from a liquid into a solid, it is no longer included in the original decree of *chalav nochri* instituted by Our Sages.

While many authorities disagree with Rav Frank’s ruling, his position has been adopted by the Chief Rabbinate to allow the importation of non-Jewish milk powder for use in non-*mehadrin* products.

It is important to note that this discussion relates only to milk itself. Since the spray-drying process uses complex and expensive equipment, the machinery is often shared between multiple factories or used to produce other, possibly non-kosher, products. Therefore, according to all opinions, the process of converting milk into powder requires reliable kashrut supervision.

As discussed last week regarding the

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original decree of *chalav nochri*, OU policy is to approve even liquid milk when there is proper government supervision. It should be noted that there is no fundamental discrepancy between the leniencies applied to powdered milk and those applied to liquid milk; Israeli *Poskim* were asked about this specific question, and the leniency appears to relate to both forms. This is evident from the Chazon Ish (YD 41:4), cited in last week's article.

Nevertheless, the Chief Rabbinate maintains a policy that differentiates between liquid and powdered milk and does not approve liquid milk products under certain standards. This is why, for example, Häagen-Dazs ice cream cannot be sold in Israel under Chief Rabbinate approval, even though it bears the OU symbol and is fully supervised by OU kosher personnel.

#### MODERN-DAY MILK PRODUCTION IN ISRAEL

In Israel, milk is produced almost entirely by Jewish-owned companies, and all commercial milk is under kashrut supervision. When milking is performed by Jews, additional supervision is not required. When milking is carried out by non-Jews, *mashgichim* conduct spot checks and monitor the process using remote surveillance to ensure that the milk qualifies as *chalav yisrael*.

A complex issue in Israeli milk production concerns cows milked on Shabbat. By law, all milk produced in the country must be purchased by Israeli dairy cooperatives (e.g., Tnuva and Tara). On many farms, systems have been implemented to ensure that milking is conducted in a halachically permissible

manner on Shabbat. However, it is not uncommon for some farmers to milk cows in a prohibited manner on Shabbat and subsequently sell the milk to dairy companies.

According to an important minority opinion (Ktav Sofer, Orach Chaim 20), if a Jew intentionally violates Shabbat, others may not derive benefit from that violation.

There is significant dispute among later authorities regarding milk that was produced on Shabbat. Consequently, the policy of all Israeli dairy companies is not to use milk collected on Shabbat in *mehadrin* products. Over the years, there has been tremendous progress in addressing this issue, including technological advancements designed to avoid Shabbat violations. Nevertheless, milk produced on Shabbat is still present in the market. Since it is often mixed with milk produced during the week, tracking it can be difficult.

OU-certified products manufactured in Israel and exported abroad do not contain milk produced on Shabbat. In OU establishments within Israel, Shabbat-produced milk is not permitted, and only *mehadrin* dairy products are used. ■

### Kashrut Questions in Israel?

Call or Whatsapp Rabbi Friedman at  
050-200-4432



**Mazal Tov to  
Gene & Alan Portnoi on their  
Aliyah 15 years ago and on their  
58th wedding anniversary**