

The law of "Korush Kimevushal": דערו ערו 13

A line by line critique of falsehoods and misrepresentations (see P. 3)

- ① Line 10: He says, "... and waters do not collect in the box (combo) at one time, ..."
- ② Line 13: "... and additionally, there is the fact that the meat is sometimes frozen more or less (in each piece), sometimes some of the pieces (in the combo) and sometimes all of them."
- ③ Line 47: "... and also, all Rabbis agree in their interpretation of the "Shulchan Aruch" as one voice, that if new juices and fluids are mixed with the old ones that this is not "Korush".
- ④ Line 51: "... and even though he ~~brings there~~ (The "Pischei Tshuvah", Rabbi Abraham Eisenstadt) brings there that the opinion of permissibility had been retracted (by its author), this is only in an unperforated vessel where there is no drainage, but if the vessel is perforated, and thus has drainage capability from the combo, then certainly with physical characteristics such as this, he would not have retracted in a case where there is shaking of the combo (because of being shipped on a truck).
- ⑤ Line 61: "... and also, the truth is that the reddish waters are only visible if a piece of meat is raised up ..."
- ⑥ Line 61 & 62: "... but all the while that the piece (of meat) rests under the weight of the other pieces in the box, then these waters are spread out across the pieces in the form of wetness, not "Korush" ..."
- ⑦ Line 66: "... and there is certainly in operation the law of (Nullification of) 1 in 60 in all the meat against these miniscule sides which have water on them ..."

- ⑨ Line 70: "I saw in the ד"ר ז"ל, פ"ו א"ב פ"ו א"ב דברי יצ"ל  
 ("Darkei Tshuvah" on Shulchan Aruch - Yoreh Deah - Siman #105,  
 Paragraph 12) and I quote, 'One should look in (book of) Questions  
 and Responsim of the ד"ר ז"ל, פ"ו א"ב פ"ו א"ב (Harei Basamayim - unknown  
 author) Siman #212 is the submission that any thing (vessel of meat)  
 which is closed from all sides and is not open to the air, then  
 one cannot apply the rule of "Kovush" (to such a vessel)..."
- ⑩ Line 87: "... on this I say that since the meat is frozen  
 and hardened ..."
- ⑪ Line 93: "... and specifically we adjudicate this matter with the  
 application of the rule of "Large Loss" with thousands upon thousands  
 of Liters of meat each and every week ..."
- ⑫ Line 96: "... therefore, I say that the law and the practice,  
 according to my poor intellect, and specifically if more holes  
 are prepared (in the combos), and also the combos should be  
 closed to the air above, then there is no fear of the violation  
 of (the law of) "Kovush". "

Critique

- ① False, a simple test shows this.
- ② False, the meat is virtually never frozen. As a matter of fact advertising (TV, Radio, Newspapers) touts the fact that no frozen meat is used. Of late (and against HNKFS will) some tongues, specifically those from ZBP have been coming in frozen, but in any case these tongues are not at issue.
- ③ Perhaps, but only if the juices can drain. There are many instances where new fluids may be added to old, but there is no drainage.
- ④, ⑤ Hard to divine what this unknown authors opinion would have been in an undefined case. Regardless of this, Rabbi Stern is building his premises on the sandcastle of this unknown Rabbi who is brought down by Rabbi Eisenstadt. While he does mention that the original author of this statement did retract his own statement, he blatantly ignores the question of how admissible is a statement used to set a precedent where the very author of the statement has retracted. One man's garbage... See #⑨ (Furthermore...)  
Also, the truck travel time is always less than 12 hours, how would this shaking effect help for the other 2-5 days that the meat is held in combos?
- ⑥ False, sometimes (because of the rewash waters) there are small pools of water on top of the surface layer of meat.
- ⑦ False, again any effort to peruse the physical characteristics of a combo would show that there are many air pockets where fluids can & do collect.

Critique

- ⑧ Yes there is a Nullification rule of 1/60, but this would mean that the net trimmed away "Kovush" meat that must be discarded, must total less than 33.3 LBS. ( $\frac{2000}{60} = 33.3$ ). I don't think even one combo would pass this test.
- ⑨ Yes this is the opinion brought down from the "Harei Bishmayim" by the great Rabbi in his famous work the "Darkei T'shuvah". What Rabbi Stern doesn't tell you is that the "Darkei T'shuvah" takes great pains to refute this decision. However Stern attempts (by not mentioning the refutation) to create the illusion that Darkei T'shuvah supports this position that he has brought. This is clearly misleading & dishonest. Furthermore, to attempt to cite as authoritative a source that was only brought down for the purpose of being refuted is a scholarly act that would only bring condemnation of such from any serious, honest Rabbinic scholar.
- ⑩ False see # ②, however he is building a case...
- ⑪ The rule of "Large Loss" is a de-facto rule. It can only be applied once primary Kosher laws were inadvertently violated. It is specifically prohibited to create a circumstance of de-facto violation and then apply the principle of "Large Loss". Again this is not the position to be taken by a serious, dedicated Torah scholar. What he is really saying is that "... since there is so much \$\$\$ at stake here..."

Critique

(12) No more holes are being cut in the combos, but according to his premises above, even this procedure is totally superfluous and unnecessary. Also, he again alludes to the legal acceptability of the ruling about closing the combos on all sides. See # (9).