

Kashruth Supervision

Part II

By RABBI YACOV LIPSCHUTZ

The need for an effective *kashruth* control system dictates that in addition to the procedural safeguards, the atmosphere of supervision for the *kashruth* functionaries must be free. Even in the most subtle forms the presence of a lack of confidence or unspoken pressure dilutes the standard that guarantees authentic *kashruth*.

In order to maintain this state, our sages put in force a tradition paraphrased as the custom of "*Lo Yaamod Baal Hashor al Shoro*" ("The owner of the cattle shall not stand by his cattle"). This edict prevented the presence of the owner during the *shechita* of his cattle. The purpose being that the *shochet* shall not, in any way, feel the pressure of the owner when he performs his duties and renders a decision. This practice prevented any possibility of undue stress being placed on the *shochet*, whose ruling on the status of the animal must be made without any demands being placed upon him. It is obvious that even if the owner remains silent, his mere presence could be enough to upset the balance of clear, objective religious thought.

This tradition was established in a time when *shochetim* were men of unquestioned piety and skill. The owners of the cattle, as well, were private citizens, not necessarily engaged in commerce, who brought their cattle to slaughter for their individual needs, and who too were observant and dedicated to Torah law. Nevertheless, the insight of our sages into the vagaries of human behavior found the need even in such instances to protect the integrity of the *kashruth* decision-making process.

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There is an ever-present danger and temptation to guarantee *kashruth* product operators' exclusive rights of sale, and boycott competitors for purposes other than *kashruth* merit. The subtleties of this type of *kashruth/commerce* violation, vague as they may appear to be, are manifold, and translate themselves into procedures and production methods that would not otherwise be permitted, whether it be in the form of diminution of talent or procedural shortcuts. The practice of a *kashruth/commerce* relationship then trickles down the chute of the *kashruth* machinery until all concerned are aware of the need for compliance with the compromise, and the pressure-free atmosphere sought by the sages who authored the ancient tradition is gone. As a result, the *kashruth/commerce* bond which guarantees protectionist sales can no longer guarantee that it is capable of measuring the mystical hair's breadth distance between kosher and *treifa*.

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If the sages tell us that the difference between kosher and non-kosher is sometimes a hair's breadth, that hair's breadth can be measured properly only in a stress-free atmosphere. Equal, therefore, to the needs to protect against *kashruth* fraud and misrepresentation, are the efforts that must be brought to bear to protect against the dilution of the *kashruth* standards. The ancient tradition of "*Lo Yaamod Baal Hashor*" is a constant reminder that *kashruth* authenticity must stand apart from commercial goals. Uppermost and sacred is the concept that the purpose of establishing effective *kashruth* control can only be to maintain that control with integrity. It will not function at full strength when it is interwoven with interests that

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