

Israel Finman

Gentlemen,

My name is Israel Finman. I am currently employed as administrator of the Carlebach Institute, an organization designed to bring Torah-true Judaism to those who are unreachable via present means.

Today, ~~However~~, I appear ~~before~~ ^{before} you unaffiliated; as a private citizen ^{with} extensive experience in kashuth. During the past 17 years I have been employed in kosher slaughter and meat processing, have inspected plants for the (U), the (K) and HESCHDUS HARABONIM, have formed and administered the UA'AD HA'IR of Syracuse (N.Y.) and have been an inspector for the N.Y. State Dept of Ag and Markets' Kosher Law Enforcement.

Drawing solely upon my own experiences I can state without hesitation that there is, to paraphrase Shakespeare, something rotten, not in Denmark, but in kashuth. In N.Y. state which has the premier regulatory agency vis-a-vis kashuth, the consumer is constantly ~~exposed~~ exposed to fraud and gross, inexcusable negligence.

Most purveyors of kosher foods in general, and kosher meats in particular view the state's Kosher Law Enforcement agency as a thorn on an otherwise sweet smelling rose. Whether it is a manufacturer

wholesaler, retailer, hotel or caterer the level of kashruth observance pales in comparison to the general level of quality control. A great deal of effort is expended to produce a quality product, a gorgeous catering hall, a grand hotel, and an attractive supermarket. It is a shame that the purveyors of kosher food, who are largely non-observant of their personal lives, consider ~~exemplary~~ traditional Orthodox Hebrew Law in their personal lives, consider exemplary kashruth observance as a detestable thing. As long as these attitudes persist amongst purveyors, it is incumbent upon the government to protect the kosher consumer to no less an extent than the consumer of other goods and services is protected by law.

There are problems however in Kosher Law Enforcement. Ridiculously low salaries deprive the State of bright, young, intelligent, dedicated personnel.

Budgetary restraints prevent the State from expanding its K.L.E. staff to adequate levels. A small handful of inspectors are unable to adequately police kashruth production. Discouragement from working overtime and restrictive dictums mandated for field inspectors eliminate the K.L.E. from investigating

when the most fraudulent violations of kashuth occur, before and after normal business hours. Where are the kosher cops at 11 o'clock on a Saturday night when the caterers are working, or when bakers are processing supposedly pareve breads and cakes on dairy ~~for~~ equipment? Where are the kosher cops at 3 AM when meat purveyors perpetrate their non kosher deeds?

~~The~~ The ability to put in time should not be restricted to eight hours daily, Monday through Friday between the hours of 8:00 AM and 5:00 PM. Where is the kosher cop on Shabbos when many purveyors operate? In New Jersey there is a ^{non-Jewish} ~~kosher~~ inspector. It behooves the State of New York to ~~have~~ hire a non Jew in Kosher Law Enforcement to be in places where an observant Jew could not be. Why shouldn't K.L.E. have powers similar to those of the Board of Health, to close down those establishments which are guilty of massive violations.

Lobbying by purveyors affects our politicians in Albany much more so than the silent suffering of the misled kosher consumer. It has been my experience that only ~~the~~ ~~large~~

~~Supermarket~~

those who have been cited for serious and/or repeated violations object to kosher law enforcement and any of its specific statutes. ~~Only~~ the large supermarket chains object most loudly to maintaining separate sections for kosher foods. By and large, the main big groceries, independent supermarkets and non-kosher meat markets have no problem adhering to one more regulatory agency. After all, K.L.E. is not demanding spotters premises or honest weights. It is only asking the retailer to maintain a few inexpensive, even hand made signs and dividers. I propose the theory that the Retail Merchants Association is bothered by the co-mingling statutes primarily because of the embarrassment involved in the publicizing of the violation. The fines are negligible, so money can not ^{possibly} be an issue, although there are problems in maintaining a steady supply of reliable help in the supermarket industry, ~~training a~~ ^{violating} ~~employee~~ and one additional ~~to~~ rule to an employee's training should not be an overwhelming burden. If a deli clerk is instructed to wear a white coat, wash his/her

hands, not smoke in the food handling areas,
~~do not use equipment~~ never slice cheese on
the meat slicer, etc. he/she can certainly absorb
a few more ^{simple} rules ~~at~~ concerning kosher procedure.
A stock boy packs out ~~the~~ designated foods in
a designated areas. If he were to decide to
place the mustard next to the jelly and the
Cherrios next to the dog food he would be fired.
If a non kosher item is being displayed and
offered for sale in a kosher section the fault
cannot lie with the help but must lie squarely
upon the shoulders of management who
authorize the display of said merchandise
in those areas. Kosher only sections are needed.
The educated consumer might spend the extra
time necessary to read every label in order to
ascertain the kashruth status of each item
but most people do not. When Mrs. Koenigsberg's
chopped liver, a non-kosher product, packaged in
an attractive 8 ounce container complete with
Jewish stars is placed next to Mrs. Weenberger's
kosher chopped liver packaged in a similar 8 oz
~~package~~ container, the consumer will not assume
that one Mrs. is kosher and the other is not.

In addition many elderly consumers ^{who} cannot read the fine print of labels, rely heavily upon having kosher foods available in a kosher section. The fact that ~~so~~ many items stocked on supermarket shelves happen to have kosher ~~certification~~ ^{certification} does not minimize the necessity to have kosher only sections for those kosher foods which are marketed ethically, just as there are Chinese and Mexican sections for Chinese and Mexican foods. The States Kosher Law Enforcement agency does not issue citations where a shopper has placed a solitary non kosher item into a kosher ~~only~~ section but only when many containers have been packed out and offered for sale. ~~KLE~~ ~~needs~~ needs to be able to prevent an item it deems non acceptable from being sold in New York State. ~~It is on the premise of a purchase~~

~~the product is guaranteed.~~
~~The product is guaranteed if it is packed on a previous process. But if the ~~product~~ acceptable item comes from out of state, ~~as to~~ there are no provisions ~~in~~ in law presently ~~enforced~~ to prevent the out of state product from entering New York State. The~~

The Commissioner of Agriculture and Markets must have the power to effect a mechanism

to prevent ~~the~~ ^{the} ~~importation into~~ ^{the} ~~State~~ ^{State} ~~transport~~ ^{transport} New York State of any product deemed unacceptable as kosher by ~~the~~ ^{the} ~~creators~~ ^{creators} of ~~the~~ ^{the} ~~kosher~~ ^{kosher} Law Enforcement.

New York State law mandates the use of metal plumbos on all ^{kosher} meat ~~sold~~ ^{sold} in New York whether slaughtered locally or out of state. Most meat, none the less, is sold in New York with kosher tags affixed with a TAG-FAST gun, a simple, inexpensive, commonly available item.

The potential for fraud is overwhelming. A non-scrupulous butcher can save kosher tags from his meat and apply them with a tag-fast gun onto non-kosher meat. ~~The State~~ ^{The State} ~~Kosher Law Enforcement~~ ^{Kosher Law Enforcement} Representatives from K.L.C. and the slaughter industry met to discuss this problem. The slaughter industry dismissed as costly the states requirements to affix metal plumbos. My experience in affixing plumbos while working as a Moshgiach tell otherwise. Two people, at a weekly cost of \$1,000 each to the slaughterhouse can handle a work load created by 350 kosher animals ^{per day}. These animals yield 700 forequarters ~~of 500 lbs each~~ 350 tongues and approximately 250 livers. Each forequarter needs no less than 5 plumbos attached, one to each

primal part, ~~each liver~~ ^{requires} each liver ~~two~~, and
each tongue, one.

1700 foos @ 5 plumbas each = 3500 plumbas

250 livers @ 2 " " = 500 "

350 tongues @ 1 " " = 350 "

4350 plumbas/daily

4350 plumbas/daily

X 5 days/week

21750 plumbas/week.

We see, therefore that \$2000 is required to offset
21,750 plumbas. This works out to under 10¢
a piece, including the price of the plumbas.

It therefore requires 5¢ to wire a forequarter, 20¢
to wire a liver and 10¢ to wire a tongue.

The average forequarter is 180 lbs. This ~~is~~ ^{is} average
cost ~~added~~ added to a pound of meat is less
than ~~one~~ three tenths of one cent. The average
liver weighs 14 lbs, ~~costing~~ ^{costing} 1.4¢ lb to wire.

Tongues at a 3.5 lb average cost 3.5¢ lb to wire.

Overall the cost of affixing metal plumbas
to kosher meat can be ~~completely~~ offset by an price
increase of $\frac{1}{2}$ ¢ a pound. ~~on all cuts.~~

The use of metal plumbos is superior but by no means fool proof. Once again, a non-scrupulous person can tamper with tamper proof plumbos if he so desires. We must appeal to the plumba manufacturers to develop a state of the art, fool proof plumba.

Much has been mentioned about the letter

"K" which is applied to many ^{packaged} ~~goods~~ ~~to represent~~ ~~goods~~ ~~to represent~~ a claim of kosher supervision. ~~This is~~ ~~not~~ ~~the~~ ~~only~~ ~~problem~~ ~~of~~ ~~ambiguous~~ ~~certification~~ ~~is~~ ~~not~~ ~~limited~~ ~~to~~ ~~the~~ ~~letter~~ ~~K~~ ~~but~~ ~~also~~ ~~to~~ ~~the~~ ~~proliferation~~ ~~of~~ ~~kashuth~~ ~~organizations~~ ~~and~~ ~~organizations~~ ~~many~~ ~~of~~ ~~whom~~ ~~are~~ ~~relatively~~ ~~unknown~~ ~~and~~ ~~strictly~~ ~~controlled~~. There is a very great

need for a central clearing house, whether public or private which can present information on kashuth questions. When I was administrator of the Va'ad Hain of Syracuse I maintained a list of every kosher item available for sale in the city of Syracuse, along with all pertinent information concerning the kashuth status of said items. It is not very difficult to implement on a local level and only somewhat difficult on a national level. Utilizing a computer to store and process information, an

Organization such as A.C.K.O. the (U), or K.L.E., could catalog every kosher item, every purveyor and every certifying Rabbi and Rabbinic Organization. True it will take six months to a year to implement said system but once set in place it could be updated with relative ease.

Lastly, I wish to address a very sensitive issue. The only crime sadder than unscrupulous certifying Rabbis purveyors of kosher food are unscrupulous certifying Rabbis. Rabbis must be held accountable for their certifications. Money has a blinding effect. It tempts one's honesty as few other things can. Although it is probably impossible to hold certifying Rabbis criminally or ~~civilly~~ financially liable for the mistakes and frauds of those whose businesses they certify, ~~by the Rabbis~~ something must be done. Perhaps adverse publicity is the answer.

Perhaps if when violations of kashut laws are published, the name, address, nature of violation and penalty assessed are not enough information.

I think the name of the certifying Rabbi and/or Organization should also be published. After all the great Rabbi Yochanan ben ZAKAI,

noted ~~at~~ 1900 years ago that man's fear of
man is greater than his fear of G-d. His

Thank you for allowing me the opportunity
to address this assembly.

shame before man is also greater than his shame
before G-d.

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