

# FOOD NULLIFICATION: FOODS

## INTRODUCTION TO FOOD NULLIFICATION: FOODS

### Introduction to Food Nullification: Foods

#### Categories of *Batel*/Nullification

Categories of nullification of non-kosher ingredients:

- Never *batel*.
- *Batel b'shishim* when the non-kosher substance is less than 1/60th of the total volume of the food.
- *Batel barov* when the non-kosher substance is less than 1/2 of the total volume of the food.

#### When Can a Non-Kosher Substance Be Nullified in a Mixture?

Whether a non-kosher substance can be nullified in a mixture depends on 3 factors:

- Whether the owner is Jewish;
- Whether the intended eaters are Jewish; and
- Whether the non-kosher substance was added intentionally as non-kosher.

If the answers to all three cases is yes, the food is never *batel*.

#### Food “Nullified in 60 Parts”:

##### Accidentally Adding Non-Kosher to Kosher Food

*Batel ba'shishim*, or “nullified in 60 (parts)” is food that remains kosher despite the accidental addition of 1/60th or less in volume of non-kosher or restricted food, since at this proportion the non-kosher food's taste becomes negligible.

**Taste:** If the non-kosher substance:

- Has no taste, it is *batel barov*.
- Has a taste but the eater cannot taste it, it is *batel b'shishim* (1/60th).

In all cases, if a substance is added for flavor and can be tasted in the final food, it will never be *batel*, regardless of whether it was added intentionally (since you can taste it, by definition it was not nullified) and regardless of whether the food was owned by a Jew or not. There are some exceptions. Consult a knowledgeable rabbi.

Some foods do impart their flavor even if less than 1/60th of the total volume of the food and these do not ever become nullified based on the 1/60th rule. Otherwise, the non-kosher food must be:

- Less than 1/60 of the volume of the whole.
- Mixed in and not lying on the surface.
- Not intentionally added by a Jew.
- Not listed in “Foods that Never Become Nullified” (below).

#### *Min b'Mino*

Substances are only *batel* when they are similar (“*min b'mino*”). The substances must be the same type, have the same taste, and have the same appearance (the eater cannot identify them as being different).

**NOTE** In such situations, it would be *batel barov* from Torah (d'oraita) but *batel b'shishim* (1/60th) by rabbinical order (d'rabanan).

**EXAMPLE** A piece of non-kosher meat is mixed in with kosher meat of more than 60 times the volume of the non-kosher piece. The non-kosher meat is *batel b'shishim*.

**NOTE** As a practical matter, this can only apply to ground meat.

**COUNTER EXAMPLE** Non-kosher chocolate syrup or a non-kosher flavored extract mixed into milk or other liquid or onto a solid would NOT be *min b'mino* even though both are liquids, since their appearances, flavors, and substance are different.

### **Too Thin To Make Non-Kosher**

The thinnest layer of non-kosher fish oil, vegetable oil, soap, or any other very thin substance on food that does **not** make the food non-kosher is whatever amount cannot be detected by the five human senses.

### **Foods that Never Become Nullified**

Here are some foods that NEVER become nullified by being less than 1/60th of the main food:

- **Yayin Nesech**  
Wine that has been offered to a pagan god or used for idolatrous purposes (yayin nesech) is forbidden in any amount!
- **Mixtures of Milk and Meat**  
Mixtures of milk and meat are not ever *batel* if they were cooked together.

**EXCEPTION** *Batel* in 1/60th if:

- You cannot identify either substance AND
- The mixture is liquid in liquid or solid mixed with solid.

**Examples:** Milk from a pig mixed with milk from a cow; ground kosher meat mixed in with ground non-kosher meat.

- **Chametz**

Any chametz in any amount that became mixed with kosher-for-Passover food DURING Passover is not nullified in 60 parts (batel ba'shishim).

**NOTE** Chametz may be nullified if:

- Less than 1/60th of the volume of kosher-for-Passover food, AND
  - Mixed with the kosher-for-Passover food BEFORE the holiday began, AND
  - Liquid (solid chametz that got mixed up with kosher-for-Passover food is never nullified).
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- **Jew Intentionally Adding Non-Kosher Item**

If the non-kosher substance was added by anyone (Jew or non-Jew) unintentionally (he did not realize it was not kosher), the food is kosher/*batel b'shishim* (1/60th).

If a Jew intentionally adds a non-kosher ingredient to a food, that ingredient never becomes nullified, even if the ingredient is less than 1/60th of the total volume of food and even if the ingredient has no flavor. Note that there are exceptions when non-Jews do the action, especially when a non-Jew adds a non-kosher ingredient or adds stam yainam wine to other liquids.

- **Unflavored or Flavored Non-Kosher Ingredient**  
**Non-Jew Adds Unflavored Non-Kosher Ingredient**

**SITUATION** A non-Jew adds a non-kosher ingredient that has no flavor.

**STATUS** The non-kosher ingredient is nullified if less than 1/2 of the total (it does not need to be less than 1/60th--batel ba'shishim).

#### **Non-Jew Adds Flavored Non-Kosher Ingredient**

**SITUATION** A non-Jew adds a flavored non-kosher ingredient even if to impart flavor.

The non-kosher ingredient is nullified in 60 parts (batel ba'shishim).

**NOTE** If a Jew had told the non-Jew to add the ingredient, the mixture is non-kosher, just as if a Jew had added it.

- **Stam Yeinam Added to Water**

**SITUATION** A non-Jew adds—to water--stam yeinam (uncooked/non-mevushal) wine that has been handled while open by anyone other than a shomer-Shabbat Jew.

**STATUS** As long as the wine is less than 1/7th of the final volume, the mixture is kosher.

**NOTE** For mixtures with liquids other than water, consult a rabbi.

- **Essential Additives**

Any additive that is essential to making a food (such as rennet for making cheese, or yeast for baking bread) is NEVER nullifiable.

- **Food Bought by the Piece**

An item that is always bought by the piece (davar she'beminyan) such that even one piece has importance—such as a mango—is never nullifiable.

**SITUATION** One mango grown in Eretz Yisrael during a shmita year got mixed in with many mangoes that were grown outside of Eretz Yisrael.

**STATUS** Batel ba'shishim does not apply and you must apply the laws of shmita to all of them.

**NOTE** If kosher and non-kosher food items have become mixed up, it is sometimes permissible to eat from the batch of food if most of the items are kosher (batel ba'rov), but a rabbi must be consulted.

- **Important Food**

**SITUATION** A food with which you could honor a guest (chaticha ha'reuya l'hitchabed), such as 1/4 of a non-kosher chicken or a serving of non-kosher chopped liver, was mixed up with kosher servings—even if more than 60 kosher servings.

**STATUS** None may be eaten.

- **Permissible in Future (Davar SheYesh Lo Matirin)**

An item that would become permissible in the future (davar she'yesh lo matirin) cannot become nullified by being mixed in with currently permissible foods.

#### EXAMPLES

- An egg laid on Shabbat will not be nullified by being mixed with eggs laid before Shabbat.
- Matza made of chadash flour will not be nullified by being mixed with matza made from yashan flour.

- **Whole Insects**

An entire insect (briya--whole creature) never becomes nullified even if mixed with other kosher food.

**NOTE** An insect that is not whole MAY be nullified.

#### EXAMPLES

- Frozen or raw chopped or ground vegetables or spices may be considered kosher even without supervision.

**REASON** We assume that any bugs in the food would have gotten partly chopped or disintegrated and therefore nullified.

- If a recipe calls for chopping or grinding herbs or vegetables, you may do so without first checking them for bugs.

**NOTE** However, if you know there are bugs, you may not chop the food for the purpose of making the bugs nullified: You must still check for insects before cooking or eating the food and if you see any bugs, you must remove them.

**NOTE** You may not eat bugs even if they have been dead for more than 30 days (some people erroneously permit this).