

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'rabanam*).

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).

- **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.

STATUS 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).