

# FOOD NULLIFICATION: FOODS

## INTRODUCTION TO FOOD NULLIFICATION: FOODS

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#### 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.

## 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).