

A Teshuvah Concerning Coca Cola

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In the year 5695 (1935) an inquiry was addressed to me concerning the well-known soft drink Coca Cola, which is manufactured in the city of Atlanta, Georgia. Is it kosher for drinking during the entire year and on Passover? After thorough inquiry and investigation at the factory, it became apparent to me that this drink was made from a variety of plant syrups a secret formula known only to certain officials of the company. Moreover, this drink contained in its composition several other types of liquids, one of which I am designating as "Moris" and the other as "Anigrone". The 'M' is a liquid product made from meat and fat tallow of non kosher animals: it is an item which Jews are forbidden to eat and drink. Certain employees of the Coca Cola company estimated that the percentage of the 'M' ingredient in the drink was of a very minute proportion in the ratio of 1 to 1000. I validated this assertion by submitting a random sample of Coca Cola to the chief chemist of the state of Georgia for a thorough chemical examination. His analysis confirmed the fact that the percentage of 'M' in the mixture was indeed 1 to 1000.

At first glance, because of this amount, there appears to be no question whatsoever, and obviously it is permissible to drink Coca Cola. This is so, because of the principle of batul

mixtures, but the mixtures remained chametz because the problematic element was inserted initially in the making of the liquids. A similar conclusion was reached in the case of the mixing of minute quantities of yayin nesech with a permitted wine. This principle of batul beshishim not being applicable was illustrated further by another example in which non-Jewish wine was inserted into pickling brine, and even though there was no noticeable wine or vinegar taste, it was forbidden to eat the products of this mixture. Therefore, this general rule may be stated: it is prohibited to use all products which are normally made by including in their composition a ritually forbidden ingredient, even though one might think that the end products would be permissible because of the minuteness of the forbidden elements in their makeup. Furthermore, by this principle, even if a Jew initially mixed the prohibited ingredient its presence would not be nullified in the resulting mixture. This situation is analogous to the processing of non-Jewish cheese, wherein milk is placed in the animal's stomach to sour and become cheese. Though the taste of the meat cannot be detected (a mixture of meat and milk is usually forbidden when a taste of meat is present), eating of the cheese in this situation is not allowed. This is the opinion of R. Abraham b. David, and in regard to these matters, his explanation of the difference in the reasoning is correct. On the other hand, when the mixing was accidental, fortuitous, or unpremeditated, we are not severe in enforcing the law prohibiting its use unless there exists a noticeable taste of the forbidden ingredient. Even if it is certain that non Jewish wine has been mixed accidentally, by a Jew or by a non Jew, with normally permitted wine, the forbidden wine's presence is negated because of the principle of batul be'rovah. However, in any case where the mixture is made with distinct purpose, the resulting mixture is prohibited, and the forbidden ingredient is not nullified by virtue of its minuteness. The cases of the pickling brine and the cheese may be recalled as good examples of this rule. Now, according to the opinions of the Rashba and R. Abraham b. David, it is manifest that all Jews are forbidden to drink Coca Cola since the insertion of the forbidden ingredient is not fortuitous. On the contrary, it is normal procedure to check the proportions in the drink, and this is done by company employees who add the forbidden M every day to maintain the proper ratio. Its addition is never unpremeditated, and under such circumstances, the M can never lose its identity. And I saw in the book Arze Levanah the Gaon R. Judah Leib Tzirelson, on Yoreh Deah, section 43, a reference to Sidei' Chemed (a collection of laws concerning fasts section 9) who quoted the Responsa of Simeon Ben Zemach Duran" the Nodeh beYehudah) (Responsa, second edition, sections 657): I know of a non Jew who regularly inserts a forbidden ingredient into a mixture because this is his profession. The products of his labors are forbidden for use since the ingredient is added initially and is needed for the mixture. This opinion accords with the Rashba and R. Abraham b. David. According to these recognized legalists, there is no basis for sanctioning the drinking of Coca Cola. This seems to be the case even though, in the Responsa in the Nodeh beYehudah (2nd edition, 7)6 and 7), the author cites the opinions of other early legalists who disagree with the opinions of

Rashba and R. Abraham b. David and who do not concur with their viewpoint. But, who is able to tip the scales against such giants of learning and knowledge and to set aside the opinions of the Rashba, R. Abraham b. David, and the Tashbetz' In view of the foregoing, it is not only very difficult to sanction the drinking of Coca Cola throughout the year., but it is even more difficult to do so for Passover. This problem arises because in its processing the employees insert and mix the ingredient A which is made from chametz since any, amount of chametz in a mixture prohibits its use on Passover, it is expressly forbidden to drink Coca Cola on this holiday. Because CocaCola has already been accepted by the general public in this country and in Canada, and because it has become an insurmountable problem to induce the great majority of Jews to refrain from partaking of this drink. I have tried earnestly to find a method of permitting its usage. With the help of God, I have been able to uncover a pragmatic solution according to which there would be no question nor any doubt concerning the ingredients of Coca Cola. This solution came to my mind when it was revealed to me by some of the expert chemists that the 'M' could also be prepared from plant oil such as that made from coconut, cottonseed oil, and other plants. Obviously, 'M' made from any of these plants is kosher to drink. If one utilizes the mixture 'M' made from plants, Coca Cola is absolutely permissible since it does not contain prohibited elements of any sort. Now, in regard to the prohibition of its use on Passover because of the question of chametz, I discovered that it is possible to prepare A not from grain kernels, but instead from sugar beets or sugar cane. With'. A: made in this way, there is no apprehension whatsoever concerning the possibility of the inclusion of chametz, in Coca Cola even in the minutest quantity. Acting on my advice at that time, the officials of the factory began to use only 'M' prepared from cottonseed oil. Likewise, during the Passover season, they utilized A made from sugar cane. It is now possible for the most stringent Halachist to enjoy Coca Cola throughout the year and on Passover. I thank God for the opportunity that He has given me, making it possible to protect the general Jewish public from eating a mixture composed of tallow, a sin punishable by excommunication, and from of eating chametz on Passover. This matter is firmly established, and it has become possible for those who have been eating that which is forbidden to eat that which is permitted.