

Shoel U'Mashiv

The Mystery of the Missing Seal

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Q - Having ordered lunch at work, the packaging came without any type of seal. Now wondering if he could eat the falafel sandwich that he had ordered, I got a call.

A - What kosher food requires a seal?

The *Shulchan Aruch Y.D.* 118:1 says that fish without skin (i.e., without a way of identifying it as kosher), meat and non-*mevushal* wine all require having a double seal if they are sent via a non-Jew. He says items that are prohibited rabbinically only require one seal. Those include *mevushal* wine, milk, bread and cheese. The *Shulchan Aruch Y.D.* 118:10 says the concern is that the non-Jew will switch the product for their benefit (i.e., so that they will get an expensive kosher product and leave the Jew a cheaper non-kosher product). He says that we are not concerned that they will switch the product simply to spite the Jew and cause them to do an *aveirah*. The *Rema Y.D.* 118:2 says therefore it must be an item that we are worried they will switch for their benefit.

What counts as a seal?

The *Shulchan Aruch Y.D.* 118:2 says the seal must be something that is not easy to duplicate. For that reason, a lot of businesses use tape that either bears their logo or the logo of the kashrus agency. That way if the tape is cut or tampered with, it will be easily noticed and they will not be able to easily replace the tape. Another very common method is to staple the bag closed. When it comes to products bought in the supermarket, Rabbi Moshe Heinemann *shlit"a* says vacuum sealing is sufficient since it cannot be tampered with and repackaged without high-tech equipment.

Is he allowed to eat the falafel sandwich?

Based on the above discussion, he is allowed to eat it since it is a fairly standard item and there is no motivation for the non-Jew to switch that product for another product. The same would be true for a pie of pizza and fries. A more expensive item would have a concern. However, the *Shulchan Aruch Y.D.* 118:5 says even in such a case, if it can be identified as kosher either because you are familiar with the food of a particular restaurant or it is made in a way that identifies it, then *bedieved* it can still be eaten.