

SHEMINI (LEVITICUS 9:1-11:47)**Kosher Legs = Kosher Eggs**

2005 · Rabbi Yerachmiel Sepowitz

These are the animals you may eat... these you may not eat...these are what you may eat of all that is in the water...and whatever doesn't... in the water is abhorrent to you ... these you should avoid from the birds ... the eagle ... the hawk, the... (Leviticus, 11:2-19) The Torah treats the Kashrus of birds differently from the Kashrus of mammals and fish. For mammals, the Torah requires that it have split hooves and that it chew its cud. In order for fish to be Kosher, they need to have fins and scales. On the basis of the above criteria, we know that cows and giraffes are Kosher, while cats and dogs are not. We know that tuna and trout are Kosher, while eels and lobsters are not. When it comes to birds, however, the Torah gives a list, rather than guidelines. If a bird is on the list it may not be eaten; if it is not on the list, it is Kosher. Eagles and hawks are on the list; therefore they are not Kosher. Ducks and pigeons are not on the list; therefore they are Kosher. Over the millennia, the identities of some of the birds on the list have been lost. Different commentaries have differing opinions as to the translations of the names of the birds listed in the Torah. As a result, we no longer know for sure which birds are not on the non-Kosher list. Therefore, for all practical purposes, the only birds that are considered to be Kosher are those about which we have a tradition that it is Kosher. For example, there were many people who were reluctant to eat turkey. It was an "American" bird that was not known in the "old country." Eventually, however, it was determined that there had been a tradition that the turkey was a Kosher bird, and today, most major Kashrus organization provide Kosher supervision for Kosher-slaughtered turkeys. (It should be noted, however, that there are still people who refrain from eating turkey for this reason.) Another example would be the chicken. What's more Kosher than chicken soup? Yet, there are certain chickens that are not considered to be Kosher. Have you ever seen pictures of those exotic chickens with floppy hairdos? I once heard that they're not Kosher. If we don't have a specific, clearly established custom that a bird is Kosher, we may not eat it. ----- You may recall reading that about a half-year ago, I moved into a new home and overnight I became a "chicken farmer." ("Yerachmiel's Ark") Like my father before me and his father before him, I am the proud owner of a



chicken coop and a "flock" of chickens.

The "girls" from my back yard

(Seven old hens, and nine new baby chicks, hatched and mailed to me three weeks ago.) Upon acquiring the old clucks, I looked forward to enjoying the “farm fresh” eggs that the previous owner had been so proud of. Then I remembered that phone call. About a year ago, I received a phone call from the *Mashgiach* -- Kosher supervisor -- in the retirement home where I work. “Rabbi,” he asked, can we serve eggs today?” I didn’t understand the question. Why is this night (day) different from all other nights? He explained that there had been a whole ruckus in his Yeshiva that morning due to the new “*Shailah*” -- religious question -- about whether eggs were Kosher. “What in the world are you talking about?” I demanded. “I don’t know, Rabbi. All I can tell you is that they’ve stopped serving eggs in my Yeshiva.” I did some quick research. I called my favorite Kashrus expert who explained that there HAD been a concern for a short time, but that the matter was satisfactorily put to rest. It seems that the question had been raised by some that the eggs currently available commercially in the U.S. were from chickens that may not have been traditionally known to be Kosher. Whatever the actual issue was -- it was really not of serious interest to me -- the question had been determined to be a non-issue. I called the *Mashgiach* back and told him to keep those omelets frying. Suddenly now, over a year later, that question came back to me. What about MY chickens? Are they Kosher? Can I eat their eggs? Can I eat THEM? I had to do some more research. Suddenly that irrelevant question became relevant. What was the issue that had put the mothers of the breakfast you ate yesterday into question? How did that issue affect the mothers of the breakfast that I want to eat tomorrow? The question was based upon a quote from the Talmud. As I mentioned above, the Torah tells us the characteristics of Kosher fish and mammals. Since the list of non-Kosher birds is limited to twenty-four species, the Torah simply provides the list, without the characteristics. However, the Talmud tells us the attributes of Kosher and non-Kosher birds. Kosher birds do not seize their prey with their claws. A Kosher bird has an extra toe on the back of its foot. Another difference between Kosher and non-Kosher birds is that when a non-kosher bird perches on a bar or a rope, it positions two toes in front and two in the back. (I believe that this too is an indication that it uses its toes as “eating utensils.” Kosher birds perch with three toes in the front, with one in the back. And herein lay the controversy. The eggs you buy in the store are laid by white leghorn chickens. These chickens have been bred for efficient egg production. Apparently, one of the by-products of successful egg-chicken breeding is the fact that the “great-grandchildren” don’t sit on a perch exactly the same way as their “great-grandparents” did. It had been noticed by some observers that modern-day white leghorns sometimes perch with two toes in the front and two toes in the back. Apparently, went the claim, the white leghorn, a formerly Kosher breed, had been bred into a non-Kosher breed! It was quickly determined, however, that this question had been asked, and answered, years ago in Jerusalem. It was determined that while a white leghorn chicken might first land on a perch with two toes in front and two in back, once it settles comfortably on the perch, it does so with three in the front and one in the back. (Pigeons, without special breeding, are the same way.) End of story. Enjoy your eggs! [Someone asked me whether this story has a disturbing side to it. Is it right to breed animals differently than they started out? I believe that it is. While the Torah prohibits cross-breeding animals, (e.g., mating a horse and

donkey to create a sterile mule) it is fitting and proper to encourage the birth of efficient animals within a particular breed. In spite of what the animal “rights” fanatics at PETA will tell you, (See "Sorry, PETA, Pig's Feet Aren't Kosher!") G-d gave us animals to eat, wear, make into Tefillin and Mezuzahs, and put to other good uses. If breeding two particular chickens will produce a better-tasting chicken or egg, that is a fulfillment of the Biblical blessing of “... *fill the earth and conquer it. Dominate the fish in the sea, the birds of the sky, and every beast that walks on the earth.*” (Genesis, 1:28) For certain “technical reasons,” the actual eating of animals was not permitted until Noah’s time. However, let no one mislead you. The slaughtering of animals for food is a Mitzvah. (It is not the purpose of this particular article to address vegetarianism, which, according to the opinions of the overwhelming majority of experts in Jewish Law, is not at all a Torah concept. Stay tuned.)] Armed with my newly discovered insights into Kosher poultry, I went out to the coop one night with a flashlight. (They only perch at night. They walk around during the day.) There, on the perch, I saw them. Three toes! My omelets (and future soup) were safe! -----
----- You may ask, what difference does it really make where a chicken puts its toes?! Does G-d really care how a chicken sits? It is important to understand that all the Kosher laws are decrees. Some Mitzvahs, such as the prohibition against murder, or stealing, or adultery, are concepts which make sense according to human standards of logic. Ethical atheists don’t commit murder. Other Commandments are given as Divine decrees that we fulfill whether we understand them or not. Pigs are at least as clean as chickens. (Trust me! I know!!) Yet, we may not eat them. Many sea creatures are very nutritious. However, if they lack fins and appropriate scales, they are off-limits. However, there is, perhaps, a lesson we can learn from chicken toes. It is always important to know exactly where you stand! :-) Have a great Shabbos. Rabbi Yerachmiel Seplowitz

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