R’ Yitzchok Hisiger: Hello everyone and welcome back to Let's Talk *Kashrus* presented by the *Kashrus* Awareness Project in conjunction with Torah Anytime. Today I am privileged to be joined by Rabbi Chaim Loike, Rabbinic Coordinator at the OU. Thank you Rabbi Loike for joining us.

R’ Chaim Loike: Thank you for having me.

R’ Yitzchok Hisiger: And thank you as well. First of all, I know you live in West Hempstead. So thank you for making the trek out here to the Let's Talk *Kashrus* studios. And thank you as well for bringing your little show and tell here, which I know you do, you're a popular, besides for being a rabbinic coordinator, you give popular classes and *shiurim* across the country on the *mesorah* of birds.

You're, you're a bird expert among other things. And so you brought us some beautiful show and tell, which you'll use to demonstrate some of what we're going to talk about today. So, to start off, what would you like to show us?

R’ Chaim Loike: I would like to start with talking about the biblical kosher birds. There are in the Torah, 24 birds which are listed as not kosher.

And there are very few kosher birds that are specifically listed in the Torah. However, the overwhelming majority of the avian species are identified in the *Gemara* as kosher. I have here three of the most prominent of the birds that are specifically mentioned in the Torah. We have here a turtle dove. We have here a pigeon. And over here we have the *slav*, we have the quail. In the *Gemara* in *Chullin daf nun tes*, it describes how we could identify kosher birds. And even though today, we only consume and accept as kosher birds which have a rabbinic tradition of being kosher, according to the *Gemara*, there are certain signs by which kosher birds can be identified. Kosher birds can be identified first and foremost by their behavior.

Kosher birds are not what are called *dores*, which is a term that is translated as predatory but it's not precisely predatory. The word *dores* in the language of the Torah, either according to *Rashi*, it refers to a bird that when it eats, it puts its hand on the food or it lifts with its foot the food to its mouth. So for example, if you had a parrot and you would give it a seed, it would take the food with its foot and bring the food to its mouth. Or, if you ever saw the birds of prey when they eat, what they typically do is they hold with their foot the food in place so that the food won't move.

So those would be characteristics of predatory according to *Rashi*. According to the *Baalei Tosfos*, preeminently *Rabbeinu Tam* among them, a predator is much more in line with how we define the word predatory, which is it takes bites out of an animal while it's still alive and doesn't wait till it dies. So if you were to feed a duck a fish, the duck is going to swallow it whole. If you fed a massive fish to an eagle, if the eagle could overpower the fish, the fish is still going to be flopping around and it's going to be taking bites out of the fish.

So that is a predator according to *Tosfos*. According to *Rashi*, it doesn't matter what it eats, it just matters how it uses its foot while it's eating. There are certain birds such as the turtledove and the pigeon, which are very easy to identify as not predatory because they're very calm birds, they're not so likely to attack other species. The quail, chickens, ducks, they will eat high protein foods such as insects and small animals, and for that reason, *Chazal* said, the rabbis decided that it was best that if somebody wanted to consume a bird, they would only consume a bird if there was a rabbinic tradition that it was kosher and they wouldn't rely on their observations. In addition to the characteristic, the other way that kosher birds are identified is by the construction of their foot.

Kosher birds have three toes which face one direction and one toe which faces another direction, while non-kosher birds sometimes, not all of them, have two toes which face front and two toes that face back. Internally, the stomach of a kosher bird, they have, well they have a stomach and then they have an auxiliary stomach. Kosher birds generally consume vegetables and grains. And we have teeth to grind up our food.

The kosher birds, they swallow stones, they swallow seeds, and then inside they have an auxiliary stomach, a gizzard or a *kurkavan*. And this *kurkavan* which is called *niklaf b'yad*, it has two pouches, an inner and an outer pouch, and it uses it to grind the stones against the seeds. And as it grinds up the seeds, it's digestible. So that *kurkavan niklaf b'yad*, this extra thick gizzard, that is a sign of a kosher bird.

R’ Yitzchok Hisiger: Is that the famous *heilige kurkavan* of *Rav Boruch Ber* fame?

R’ Chaim Loike: Yes. Or whoever your favorite *Rosh Yeshiva* from Europe was. And the other aspect of most kosher birds with the exclusion according to most *Acharonim* of waterfowl, is they have a crop. At the, they swallow the food, it collects in a pouch at the base of the neck, that's called a *zefek*, a crop.

And before they finish eating, they can keep on collecting the food at the base of the neck and then over time as they want to digest it, the food moves from the *zefek*, from the crop into the stomach and where it's digested further and that's how their digestive system works. So kosher birds have these three physical signs and this one characteristic, behavioral characteristic, while the predators generally are first of all predatory, and second of all most of them, or a lot of them have stomachs which do not have a discernible gizzard where the gizzard does not separate into two membranes.

R’ Yitzchok Hisiger: Now, this conversation, this introduction that you gave us, is it merely, you'll forgive the term, academic, to someone learning *Chullin* and someone learning the *halachos*, or someone going into kosher supervision, or does it have a practical application to the kosher consumer?

R’ Chaim Loike: So in terms of the ability to identify birds based on their signs, that's for *Ashkenazim*, it's primarily academic. There are some *Sefardi* communities which will rely on the *simanim*, on these kosher signs, but the *Ashkenaz* community, it's primarily academic. Obviously, if we were certifying a bird and so or we were thinking about certifying a bird which we were certain was kosher, and then we saw it misbehaved, we'd have to reevaluate our certification.

But first of all, that has not happened to the best of my knowledge in the OU. And second of all, that would be a terrible mistake because that would mean that a lot of generations had been making mistakes.

R’ Yitzchok Hisiger: Mistakes, meaning the *mesorah* is flawed.

R’ Chaim Loike: Right.

R’ Yitzchok Hisiger: Which which would be a bigger problem.

R’ Chaim Loike: Correct, but there were *Acharonim* that discussed this and they said if you have a *mesora* on a bird that it's kosher and it behaves in a way that's indicates that it's not kosher, so then

R’ Yitzchok Hisiger: So what do you do?

R’ Chaim Loike: Well, you abandon the *mesora*. Abandon the *mesora*. Because presumably the *mesora* was an error.

R’ Yitzchok Hisiger: You don't say that the that the species suddenly changed behavior. You say that for some reason along the line there was a broken chain of a *mesora* of some sort. Right. Which is interesting.

R’ Chaim Loike: But this is a theoretical. We have not yet found any birds which we were eating in the last 2,000 years, and the *Gemara* talks about that. That deviated from this, call it, you would call this system or these characteristics. Right, the *Gemara* in *Chullin* talks about situations where there were communities that thought a bird was kosher and then they observed it and they discovered it was predatory.

But since the time of the *Gemara*, there have been most of the communities have accepted to rely on rabbinic tradition and not outright research, and as a result, there haven't been too many instances where somebody has found a bird that's they're eating and discovered that it was predatory.

R’ Yitzchok Hisiger: What is the one of the classic bird controversies that you could discuss with us, you know that has been discussed in Torah literature?

R’ Chaim Loike: So I mean, the most relevant controversy is usually with chickens. And chickens are something that are very close to predatory. They're kosher. I'm not saying they're predatory, they're 100% kosher. But chickens can become very aggressive. And in certain cultures, they raise their chickens to be aggressive. And as a result, you can have a chicken that is going to behave in a way that's confusing.

And if you look in, and there are times that people have seen birds that were similar to chickens since the time of the *Gemara*, thought they were like a chicken.

R’ Yitzchok Hisiger: Is that where, is it those cock fights?

R’ Chaim Loike: Well, right, cock fighting is different because even though they're very violent, the cock fights do not result in them behaving in a way that's predatory.

R’ Yitzchok Hisiger: Uh huh. It's just that they act wild.

R’ Chaim Loike: But not that they're biting the other bird. Right. But you could have a chicken that's going to be very aggressive in terms of what it eats, and it's going to attack and try to overpower everything. And if you're not really paying attention, you could think that just like the chicken did that and it's kosher, the similar bird which behaved in the same way might be like a chicken and it's not. And that's why if you look in the *Gemara*, most of the examples of people of communities which made a mistake and misidentified a bird, it was some kind of a *tarnagolsah* or a *tarnagol* because it had to be a chicken-like bird because the chicken is a very can be a very wild bird.

R’ Yitzchok Hisiger: Got it. Now, before we go further, I hope our listeners will forgive me for digressing for a minute, but most of the guests we have here, we don't ask them how they got into *kashrus* or why they do what they do. But with you, and you gave me a little tour of your van downstairs, and I see you're carrying around cages of birds of all types. We have our is that a parrot that's been making a racket in the other room. And apparently you drive around with these, are they called animals or birds? You drive around with these animals in your truck. So it's obviously a passion of yours. How did someone like you get involved in the of all fields of *kashrus*, the *kashrus* of birds?

R’ Chaim Loike: No one ever asked me that.

R’ Yitzchok Hisiger: Is that right?

R’ Chaim Loike: No. So when I was in *smicha*, the first, in those days, I know most *smicha* programs have digressed, but I'm not as young as I look. In those days, the first thing you had to learn was *shechita*. And I like to do things practical.

R’ Yitzchok Hisiger: Where did you get your *smicha*?

R’ Chaim Loike: *Yeshiva* University.

R’ Yitzchok Hisiger: *Yeshiva Rabbeinu Yitzchak Elchanan*.

R’ Chaim Loike: Yes, whichever way you want to. And when I was studying there, I wanted to do the practical. And at the end of studying *shechita*, I became certified and they asked me to teach the *shechita* class. And when I went to give the first class, I went to the live poultry market and I discovered that I couldn't identify which birds were worthy of being *shechted*. I didn't know which birds we had a *mesora* on because all I knew was the classical chicken. And for the first time I went to the live poultry market, I saw so many birds and I didn't know what to *shecht*. So I called up the OU and they asked me, well, do you want to research it? So I went and I purchased all the birds in the market. And in those days, the market was much more diverse than it is today. It's become much more uniform.

And I went around with a number of *Chasidishe Rabbonim* who spoke *Yiddish*, because the people I need to speak to obviously spoke *Yiddish* much better than English. I went to the old *shochtim* and we went to presented the birds to them and we said, what did you *shecht*? And after that, suddenly I was the person who knew, even though all I had done was go around for a few days with the birds. We documented it very carefully, but we went around and we just asked.

R’ Yitzchok Hisiger: That's fascinating.

R’ Chaim Loike: And then things just snowballed.

R’ Yitzchok Hisiger: Wow. So it was really just it came from a desire to know more.

You ended up becoming an expert in this area. Correct. And I guess that grew into ultimately once you finalized your *smicha* and you entered the *kashrus* field, this was naturally your field of endeavor. Right.

R’ Chaim Loike: I found it very interesting, but I also found it a little bit tragic. As you know, we only have 613 *mitzvos*, and one of them, *lehavdil bein hatamei u'vein hatahor* as it applies to birds, was on the verge of there was no, you know, was not being preserved. And I felt that I had the opportunity to make sure that as much of the knowledge that we had how to identify kosher birds could be preserved.

R’ Yitzchok Hisiger: That's really, really eye-opening to think to think that for whatever reason this field wasn't being explored.

R’ Chaim Loike: Is that, I don't know if that's the right term. Well, I'll tell you what I found is that many people were very, very supportive. Primarily, I mean, birds aren't these birds aren't expensive, but a lot of birds are very expensive, and I never had trouble having people say, don't worry about it, here's a credit card, do the research, figure it out. And you know, there were times where, you know, I was sneaking into a nursing home with a box of birds, and sometimes I was driving a 26-foot-long U-Haul going around communities to identify different species. But it was really something that I feel, unfortunately, if I tried to do it now, many of the people who I was able to speak to are no longer here. No longer here.

R’ Yitzchok Hisiger: Wow. I'm sure someone like *Rav Belsky*, who seemed to know everything was someone who you consulted and spoke to.

R’ Chaim Loike: So I consider *Rav Belsky* to be my *Rebbe* in all regards. Every bird that I would say I know something about, whether good or bad, would be what *Rav Belsky* said.

R’ Yitzchok Hisiger: Take a moment to share how just incredible *Rav Belsky's* knowledge was in the field of everything.

R’ Chaim Loike: Well, I'm not I'm not fit to give him accolades, but what I found is that what he said was always right, it was just a matter of time until I understood what he said. So sometimes we'd show *Rav Belsky* a bird and he would say, yeah, it's good, but we have to get X, Y, Z. And he would be correct, we'd find that and it would be kosher. And sometimes say we don't have enough information and the information just wasn't available. And I don't think I'm fit to even describe *Rav Belsky zichrono livracha*, but everything that I know about birds is attributed to him taking the time to really sit down and teach me.

R’ Yitzchok Hisiger: So from all those years of of doing research which you're indicating was really you were kind of, I don't want to say you were breaking new ground, but you were really bringing information to the fore that may have otherwise possibly been forgotten or preserved. You were preserving our *mesora*. What would you say is one or two of the biggest revelations that you discovered that you could share with us that would that we would understand?

R’ Chaim Loike: My biggest regret is how much information was already lost. So for example, I think everybody knows what a peacock is, and there were many communities that there is adequate documentation that they accepted the peafowl as kosher and they consumed the peafowl. You could see *Sheilos u'Teshuvos* written in the last hundred years about *treifus* in peafowl. You could find communities that speak about it. I've spoken to children that remember their grandfather *shechting* it, but I couldn't find any *shochet* who is able to testify that the peafowl is kosher and as a result the *Ashkenazi* community does not have any evidence to the best of my knowledge that peafowl can be consumed.

R’ Yitzchok Hisiger: Very interesting. Well, what's another example? Of such a thing, a revelation that you discovered in the course of your research.

R’ Chaim Loike: Well, the other thing I realized is that sometimes *mesorahs* are kept by coincidence. So for example, in Europe, the aristocracy were the ones who were allowed to hunt certain kinds of partridges. And as a result, these partridges were not rare. So even though nobody was eating them, everybody knew they were kosher. And then you get to America and you can buy these partridges for seven or eight dollars. You're able to show them to *shochtim* who were like, yeah, we know that's kosher because they were everywhere and our parents and our grandparents and the *Rabbonim* told us they were kosher, but nobody had ever been able to eat them.

And these partridges, their *mesorah* was preserved because they were protected by the local aristocracy in certain parts of Europe.

R’ Yitzchok Hisiger: Very interesting. Thank you Rabbi Loike for joining us. Thank you for bringing us all these birds so we could actually understand what you're talking about. It's been a tremendous experience speaking to you. Thank you.