

MAGEN TZEDEK

An Ethical Certification for Kosher Food

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September/Elul, 2011

# A Summary Of Magen Tzedek's New Standards and Religious Underpinnings

Halakhic development has always involved a pull between competing values. This can be seen in the effort to strike a balance between the desires of the individual and the needs of the community; between support for the particularity of Judaism and the embrace of universalism; between acceptance of the status quo and the yearning for Messianic perfection. In more specific contexts, new stringencies meant to enhance ritual practice have been measured against *kavod hatzibbur*; restrictions on commercial interaction with non-Jews have abutted the value of *darkhei shalom*. It is this dialectic context that makes Judaism the profound, nuanced religion that it is. The embrace of this dialectic embodies Conservative Judaism and gives it meaning and value amongst the pillars of Jews who organize their lives differently. We Conservative Jews celebrate living within this tension between tradition and change. Magen Tzedek, too, shares this approach. In this overview, we will seek to explain both where Magen Tzedek currently stands, and why the standards thus far developed uphold core Jewish values.

As we have sought to develop Magen Tzeddek and introduce it to the North American marketplace, we have found that we, too, must balance between competing tensions and interests, between our ideals and the pragmatics of the business world. Magen Tzedek is a ground-breaking endeavor, attempting to create something that has never before been done either within Judaism or American industry—creating a simultaneous set of comprehensive standards governing labor, health, corporate integrity, environment, and animal welfare. As with the adoption of any system of standards, there are those who might wish that an individual standard be more robust than it appears. But it is important to understand both the holistic and the developmental nature of the Magen Tzedek enterprise. What we have done by insisting that

every certified product must meet all of our standards is to raise the bar of industry practice in five different categories concurrently. This approach enables us to push further regarding labor rights, where fairly advanced norms and standards already have been accepted by industries. With regard to animal welfare, however, our effort to improve industry practice must begin at a more rudimentary level. Kashrut supervision rarely extends to the farm where animals are raised. Yet even at the level of kosher meat-packing plants, basic standards of animal welfare are not yet being routinely met. We have chosen to address the animal welfare issues at the level of the kashrut supervision and/or meat-packing plant first and allow producers a phase in period to encourage suppliers to meet Magen Tzedek's broader standards. This will allow for more robust standards to be implemented in future years. The result is that the Magen Tzedek seal will advance substantially our desire for more ethical industry conduct within each of the five areas, bringing the Jewish commitment to ethics and social justice directly into the marketplace and the home. This is an accomplishment for which we, as Conservative rabbis, should be proud.

#### 1. Labor Practices and Healthy Workplace Requirements

Any entity seeking Magen Tzedek certification must meet or exceed stringent labor practices requirements for all employees who are subject to US federal wage and hour laws. To qualify, an entity must, among other things, 1) respect an employee's right to earn a living wage by paying all employees at least 15% more than the highest mandated US federal, state or local minimum wage; 2) limit the maximum hours an employee can work to comply with federal and state law; 3) pay overtime salary in accordance with the most beneficial of all applicable federal and state labor laws and limit overtime obligations to no more than 20% of normal working hours per week; 4) provide clearly-defined benefits of at least 35% of the base wage for all nonexempt employees; 5) allow for maternity/paternity leave that comports with the most favorable applicable state or federal law; 6) allow for unpaid bereavement leave of at least three days for local leave or five days for out-of-state leave for the death of a family member as defined by Jewish law as well as for the death of other family members; 7) provide child care arrangements for employees; 8) provide for at least a minimum 20-minute unpaid lunch break and two 10minute paid breaks, one before and one after the lunch break; 9) permit the right of employees to organize into unions; 10) provide a safe and healthy workplace environment and take effective steps to prevent potential accidents and injury to workers' health; and 11) promote gender diversity and avoid discrimination based on race, national or social origin, immigration status, caste, birth, religion, disability, gender, sexual orientation, family responsibilities, marital status, union membership, political opinions or age in hiring, salary, promotion, or firing. Additionally, any Magen Tzedek entity shall only employ documented workers and shall not employ child or forced labor.

These robust labor standards are in keeping with Judaism's rich history of protecting the well-being of workers. The Torah in particular takes pains to prohibit exploitation of employees by their employer. The Torah insists, for example, that employers pay employees on the day of

their labor.<sup>1</sup> Additionally, the standard's insistence on paying workers a living wage and its endorsement of the right to collective bargaining builds upon the values undergirding the most recent CJLS teshuva to address labor rights, Rabbi Jill Jacobs' "Work, Workers and the Jewish Owner."<sup>2</sup> Moreover, medieval and modern halakhists have found that Judaism endorses a variety of work-related benefits. As set forth in Rabbi Avram Reisner's comprehensive 2008 work, *Al Pi Din*,<sup>3</sup> poskim have held that, under Jewish law, employees are entitled to paid sick leave,<sup>4</sup> employees limited by a disability are entitled to full wages,<sup>5</sup> and employees are entitled to retirement benefits.<sup>6</sup> We should feel thrilled that Magen Tzedek-certified entities will embrace these employee protections, adopting the type of equitable workplace relationship that halakhah calls on us to enact.

Magen Tzedek-certified products will also require companies to adhere to robust health and safety standards. Any company producing a Magen Tzedek-certified product must take affirmative steps to prevent potential accidents and injuries; conduct an annual independent health and safety inspection; publicly maintain inspection records; participate in a workermanagement safety program to proactively discuss health and safety issues; appoint a senior management representative to be responsible for ensuring a safe and healthy workplace; provide appropriate safety training to personnel on a regular basis and in languages that employees understand; provide appropriate safety equipment; and establish systems to detect, avoid, or respond to potential threats to the health and safety of personnel. Additionally, all personnel shall have the right to remove themselves from imminent serious danger without seeking permission from the company and shall have on-site emergency healthcare access.

The halakhah has long required an employer to protect the safety and welfare of its employees. The general obligation of an individual to protect another from harm is encapsulated in the Shulhan Arukh, in the very last section of Hoshen Mishpat (427), in which the Mehaber states:

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לא תעשוק את רעך... לא תלין פעולת שכיר אתך עד בקר. You shall not coerce your neighbor... The wages of a laborer shall not remain with you until morning. (Lev. 19:13)

לא תעשוק שכיר עני ואביון... ביומו תתן שכרו ולא תבוא עליו השמש

<sup>.</sup> כי עני הוא ואליו הוא נושא את נפשו, ולא יקרא עליך אל ד' והיה בך חטא

You shall not abuse a needy and destitute laborer... You must pay his wages on the same day, before the sun sets, for he is needy and his life depends upon it; else he will cry out to Adonai about you, and you will be judged to be guilty. (Deut. 24:14-15)

<sup>&</sup>lt;sup>2</sup> Rabbi Jill Jacobs, "Work, Workers, and the Jewish Owner," (approved by the CJLS on May 28, 2008), at p. 48.

<sup>&</sup>lt;sup>3</sup> Rabbi Avram Reisner, *Hekhsher Tzedek: Al Pi Din.* Jan. 31, 2008, at p. 3, n.1. Available at

 $http://magentzedek.org/wp-content/uploads/2009/05/hekhsher\_tzedek\_al\_pi\_din\_july\_2009.pdf.$ 

<sup>&</sup>lt;sup>4</sup> Rabbi Shimon ben Tzemach Duran (N. Africa, late 14<sup>th</sup>-15<sup>th</sup> c.; *Tashbetz* I, 64).

<sup>&</sup>lt;sup>5</sup> Rabbi Israel Bruna (Germany, 15<sup>th</sup> c; *Responsa* 134).

<sup>&</sup>lt;sup>6</sup> Rabbi Eliezer Waldenberg (*Tzitz Eliezer* XIII, 26.9).

It is a positive commandment to remove any stumbling-block that might endanger life.

But, as Rabbi Reisner points out in *Al Pi Din*, an employer's obligations toward his workers is greater than this standard obligation because, based on BT Bava Metzia 80b, employees delegate their judgment on health and safety workplace matters to their employer, who, in turn, is entrusted to provide safe working conditions.<sup>7</sup> Within a more modern context, Israel's former Chief Rabbi, Ben Zion Chai Uzziel, affirmed the obligation on the part of the employer to maintain proper working conditions for all employees. <sup>8</sup> In addition to complying with overt legal requirements, an employer's attentiveness to the safety and welfare of her employees also comports with the halakhic notion of *lifnim mishurat hadin*, going beyond the letter of the law. In the words of Rabbi Uzziel's ultimate conclusion,<sup>9</sup>

אם אמנם מצד ההלכה אין בעל הבית חייב בנזקי הפועל... נוטה אני לומר שבעל הבית מוזהר מן התורה לעשות כל מה שאפשר להבטיח פועליו מסכנת מות או מום ככתוב: "ועשית מעקה לגגך, ולא תשים דמים בביתך" שכולל כל מכשול העלול להזיק כמו כלב רע וסולם רעוע וכו'. מכאן אנו למדין חובת בעל הבית או הקבלן לדאוג בדיקנות זהירה בתנאי העבודה שיהיו בטוחים מכל מכשול הגורם לאיזה אסון שהוא... ובאם לאו הוא נלכד בעוון "לא תשים דמים בביתך" וצריך כפרה. אבל אין זה דבר היוצא בדיינין.

Though it is the case that according to the law the owner is not liable for the damages of the worker... I am inclined to say that the owner is warned by the Torah to do all that is possible to insure his workers from the danger of death or disability, as it says: "You shall make a parapet for your roof and you shall not bring blood-guilt upon your house" (Deut. 22:8). This includes any hazard which is likely to cause injury, like a mad dog or a rickety ladder (Bava Kama 15b, Shulhan Arukh, Hoshen Mishpat 427:5). From this we learn the obligation of the owner or contractor to address the working conditions with strict care, so that they are secure from all

כל מכשול שיש בו סכנת נפשות מצות עשה להסירו... ואם לא הסיר והניח המכשולות המביאים לידי סכנה, ביטל מצות עשה ועובר בלא תשים דמים

It is a positive commandment to eliminate every hazard that endangers life... If one did not eliminate it, but preserved the hazards that cause danger, one has overlooked a positive commandment and transgressed "you shall not bring blood-guilt into your house."

<sup>&</sup>lt;sup>7</sup> See Rabbi Reisner, *Al Pi Din*, at pp. 10-11.

<sup>&</sup>lt;sup>8</sup> Mishpetei Uzziel IV, Hoshen Mishpat, 43. In a responsum entitled, אחריות נותן העבודה כלפי הפועל – The responsibilities of the employer with regard to the employee—Rabbi Ben Zion Chai Uzziel considers what might be the Torah's view of requiring an employer to maintain insurance for his employees. His initial conclusion borrows from another situation that we have seen:

זכאי הוא הפועל לדרוש בשכר עבודתו ערובה כספית במקרה מיתה או הטלת מום ובעל הבית או הקבלן מחוייבים להסכים... על זה נאמר "למען תלך בדרך צדיקים..." שמצווים הבעלים ביחס לפועלים. The worker is permitted to demand, as a condition of his work, a financial guarantee in the event of death or disability and the owner or contractor is bound to agree... It is about this that it says "So that you might walk in the way of the worthy..." which employers are commanded with regard to their employees. <sup>9</sup> See also Shulhan Arukh, Hoshen Mishpat 427:8:

hazards which might precipitate an accident... for if not he is guilty of the sin "you shall not bring blood-guilt upon your house" and needs atonement. But this is not adjudicable before judges.

The standards adopted by Magen Tzedek ensure that the employer not only bears the requisite responsibility for the safety and welfare of all employees but also that the employer takes affirmative action to prevent foreseeable harm from occurring in the first place. We should feel pleased about the inclusion of such a progressive standard for workplace safety within the rubric of Magen Tzedek.

#### 2. Animal Welfare

Magen Tzedek certification also requires an entity to participate in and comply with a Magen Tzedek-approved protective animal welfare audit program. Such a program will address an entity's facilities, veterinary care, human oversight, humane conditions, and appropriate diets on-site. Additionally, all slaughtered animal products shall come from a plant meeting a Magen Tzedek-approved audit program for both kosher and non-kosher slaughter processes, no matter where that process falls in the supply chain. Each entity must also develop, document, implement, and have management periodically review a traceability plan to ensure that key ingredients provided by their supply chain are sourced in compliance with Magen Tzedek requirements. This animal welfare standard applies a developmental approach to animal welfare requirements in which the entity must define specific conditions for improvement, document these improvements, and show progress in carrying out these improvements at each of three certification cycles. The plan shall define specific conditions to be achieved within a clearlyarticulated timeline.

Concern for animal welfare has animated Judaism from the Bible to the present day. As explicated in Rabbi Reisner's Al Pi Din,<sup>10</sup> the ninth verse of Psalm 145 announces that since God is concerned with the well-being of all God's creatures, we too should be. In fact, numerous sources within the Bible command us to be concerned about the welfare of animals.<sup>11</sup> The early rabbis likewise called for the consideration of animal welfare in one's daily conduct. For example, Berakhot 40a mandates that before one may sit down to eat, one must attend to the needs of one's animals. Moreover, "[t]he rabbis extracted the principle that it is forbidden to cause בעלי חיים – to cause suffering to living things, and utilized this as a test of the propriety of various actions throughout the Talmud."<sup>12</sup> In fact, Hazal saw individuals' treatment of animals to be so important that such treatment had direct causal ramifications for human welfare.<sup>13</sup> Of course, concern for animal welfare did not lead to a ban on meat consumption. Yet even where animal killing was permitted, the laws of ritual slaughter were seen as derived in part so as to mitigate animal suffering by requiring that such killing was only to be done in the

<sup>&</sup>lt;sup>10</sup> Rabbi Reisner, Al Pi Din, at pp. 15-17.

<sup>&</sup>lt;sup>11</sup> See, for example, Ex. 23:5, 12, Deut. 22:4-7, 10, and 25:4.

<sup>&</sup>lt;sup>12</sup> Rabbi Reisner, Al Pi Din, at p. 15 (citing Shabbat 117b, 128b, 154b, Beitzah 26a, Bava Metzia 31a, Bava Batra 20b, Avodah Zarah 13a, Hullin 7b). <sup>13</sup> See, for example, Ex. Rabbah 2:2; Bava Metzia 85a.

most humane, painless way possible.<sup>14</sup> By shattering the modern, unwelcome dichotomy between animal welfare and ritual slaughter that has come to characterize the kosher meat marketplace, Magen Tzedek certification will restore harmony to the ritual and ethical dimensions of meat consumption. It will ensure that the principle of avoiding gratuitous animal suffering, both prior to and during slaughter, becomes concretized through explicit, reviewable practices. This would be a revolutionary development within the kashrut marketplace that we, as Conservative Jews, ought to feel proud of.

## 3. Consumer Safety/Reliability Issues

Consumers purchasing Magen Tzedek-certified products will be able to rest assured that the products they purchase are both safe to consume and live up to their advertised qualities. Each entity shall have a food safety audit conducted by an outside auditor; shall substantiate with appropriate documentation any special product attributes such as organic or Fair Trade; and shall maintain all records of any health, Kosher, and/or halal recall.

There are several halakhic issues that are associated with consumer safety and reliability. First, the halakhah has long been concerned with preventing commercial deception. For example, in Mishnah Bava Metzia 4:11-12, we are instructed:

> אין מערבין פרות בפרות... אין מערבין שמרי יין ביין... מי שנתערב מים ביינו לא ימכרנו בחנות אלא אם כן הודיעו, ולא לתגר אף על פי שהודיעו, שאינו אלא לרמות... אין מפרכסין את האדם, ולא את הבהמה, ולא את הכלים

Produce may not be mixed with other produce... One does not mix the sediment of wine with wine... If one's wine was diluted with water one must not sell it in a shop unless one informs [the customer], nor to a merchant, even if one informs him, because [the latter buys it] only in order to deceive [others]... People, cattle, and utensils may not be made up.

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ועוד נאמר בטעם השחיטה מן הצואר ובסכין בדוק כדי שלא נצער בעלי החיים יותר מדאי כי התורה התירן לאדם למעלתו לזון מהם ולכל צרכיו, לא לצערן חנם

We will say further, that the reason for slaughter at the neck and with an inspected knife is so as not to cause excessive suffering to living things, for the Torah permitted them to humans on account of their preeminence, so that they might be nourished by them and for all their needs, but not to cause them gratuitous suffering. [Sefer haHinukh #451]

כאשר הביא הכרח טוב המזון להריגת בעלי חיים כונה תורה לקלה שבמיתות ואסרה שיענה אותם בשחיטה רעה ולא בנחירה

When the necessity for good food led to the killing of animals, the Torah chose the easiest of deaths and prohibited tormenting them through an inferior slaughter or by piercing. [Maimonides, Guide for the Perplexed, III:48]

This focus on ensuring that producers actually sell to customers what customers think they are purchasing is also codified in the Shulhan Arukh.<sup>15</sup> Trickery, dishonesty, or chicanery in sales is categorically prohibited halakhically.

Jewish consumers therefore have a right to expect honesty and forthrightness from the producers of products they buy. The Magen Tzedek certification will provide this critical assurance by mandating that Magen Tzedek-certified entities sell only products that are both safe to consume and live up to their advertised qualities.

## 4. Corporate Integrity

Companies receiving Magen Tzedek certification also must adhere to strict standards of corporate integrity. These include adoption of anti-bribery and whistle-blower policies and a commitment to avoiding any association with wrongdoing, corruption, kickbacks, bribery, financial impropriety or other illegal acts. Magen Tzedek companies must also report any notice of governmental investigations into alleged wrongdoing, and shall take prompt and firm action whenever wrongdoing of any kind is found among its employees. Finally, a Magen Tzedek entity should commit to participating in charitable giving, or tzedakah, to the extent of its ability to do so.

The halakhah prohibits the type of illegal conduct that would impugn a corporation's integrity. First, as set forth in Shulhan Arukh, Hoshen Mishpat 356:1, it is impermissible for a consumer to purchase an item that is the product of thievery.

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המודד או שוקל חסר לחבירו, או אפילו לעכו"ם עובר בלאו דלא תעשו עול במדה במשקל ובמשורה. חייבים ב[ית] ד[ין] להעמיד ממונים שיהיו מחזרים על החנויות, וכל מי שנמצא אתו מדה חסרה או משקל חסר או מאזנים מקולקלים רשאים להכותו ולקנסו כאשר יראה לב[ית] ד[ין]. אסור לאדם להשהות מדה חסרה בביתו, אפי[לו] שאינו מודד בה, ואפי[לו] לעשות עביט של מי רגלים, שמא יבוא מי שאינו יודע וימדוד בה.

One who shorts a customer in weight or measure, even a non-Jew, transgresses the Biblical prohibition, "Do not behave sinfully with yardstick, weight or measuring-cup." (Leviticus 19:35). The court must appoint inspectors to circulate through the stores. Should they find anyone with a defective measure, weight or scale they may punish and fine him as the court sees fit. A person may not keep a defective measure in his home, even though he does not use it, even in use as a urinal, lest someone who does not know should come along and use it. [Shulhan Arukh., Hoshen Mishpat 331:1-3]

אין מפרכסין לא אדם ולא בהמה ולא כלים, כגון לצבוע זקן עבד העומד למכור כדי שיראה כבחור ולהשקות בהמה מי סובין שמנפחין וזוקפין שערותיה כדי שתראה שמנה... ולצבוע כלים ישנים כדי שיראו כחדשים...

One does not apply make up to a person, a beast or a utensil, for instance, to dye the beard of a slave who is to be sold so that he appears younger, or to give cattle a potion that causes it's hair to fill out and stand on end so that it appears fatter... nor do you paint old vessels to appear new.... [Shulhan Arukh, Hoshen Mishpat 228:9.]

אסור לקנות מהגנב החפץ שגנב. ועון גדול הוא, שהרי מחזיק ידי עוברי עבירה וגורם לו לגנוב גניבות אחרות, שאם לא ימצא לוקח אינו גונב.

It is forbidden to purchase a stolen article from a thief. This is a great sin, for one supports the hands of sinners and causes him to steal other things, for if he does not find a buyer he will not steal.

Second, and more broadly, the halakhah proscribes usurious or otherwise crooked business practices.

אוצרי פירות ומלוי ברבית ומקטיני איפה ומפקיעי שערים – עליהן הכתוב אומר: לאמור מתי יעבור החדש ונשבירה שבר, והשבת ונפתחה בר להקטין איפה ולהגדיל שקל ולעות מאזני מרמה

Hoarders, usurers, short-changers and profiteers are the subject of the verse: "saying: when will the New Moon pass so that we may sell grain, [when will] the Sabbath [pass] so that we may set forth wheat, shorting the measure, overcharging, and falsifying with crooked weights" (Amos 8:5) [Bava Batra 90a]

Indeed, the Talmud (in Yoma 86a) relates that dishonesty in business is one of the two types of sin by a Jew that causes God's name to be defiled. Likewise, in Shabbat 31a, the Talmud instructs: "When a person is judged, they will be asked: Did you do business with integrity...."

Despite the fact that the halakhah so clearly prohibits corporate (or any other type of business) malfeasance, the Jewish community to date has focused little scrutiny upon the business practices of purveyors of kosher products. We should therefore feel proud that Magen Tzedek, by insisting on strict corporate integrity, will provide the kosher marketplace with this important public service. Purchasers, for the first time, will be able to rest assured that not only are the products they consume halakhically permissible, but also that the way those products come to market comports with halakhic strictures.

#### 5. Environmental Impact

Magen Tzedek certification will require entities to comply with comprehensive environmental programs. For example, an entity must adopt an environmental management plan to reduce energy and water consumption, reduce solid and hazardous waste, and reduce air and water pollution. Additionally, entities must establish programs to promote recovery, reuse, and recycling. Entities must also undertake a carbon footprint and water footprint analysis. Finally, each entity must maintain records of any US federal, state or local violations that have led to fines or other legal action for environmental law violations.

Judaism has a rich history of concern for the welfare of the environment and humanity's role as stewards of nature. From virtually the very beginning of Genesis, in Gen. 2:15, we are

commanded, לעבדה ולשמרה – to work and to protect our environment. Indeed, our tradition is rich with texts extolling us to care for the natural world.<sup>16</sup>

Most specific to Magen Tzedek, though, is the principle that each of us is responsible for the damage that we do to others in the common domain. The halakhah developed a robust body of laws prohibiting what, in modern legal parlance, is deemed a public nuisance. For example, it is prohibited to introduce pollutants to public water sources (Tosefta Bava Metzia 11:31) or to allow one's private septic system to leach into a neighbor's well (Shulhan Arukh, Hoshen Mishpat 155:21). Various zoning laws (e.g. Mishnah Bava Batra chapter 2) are specifically concerned with the damage that may be caused by one's licit activity upon adjacent areas through various runoff and pollution.<sup>17</sup>. We therefore have an affirmative duty, as Rabbi Reisner points out in Al Pi Din,<sup>18</sup> "to avoid causing such damage, whether through toxic emissions, hazardous waste, or, as we are only now becoming aware, through the release of greenhouse gases into the atmosphere." Indeed, pollution damages are halakhically deemed so egregious that they cannot be waived (Shulhan Arukh, Hoshen Mishpat 155:36). As Maimonides succinctly put it:

אסור לאדם להזיק ולשלם מה שהזיק. אפילו לגרום הנזק אסור.

One is not permitted to cause damage, planning to pay for the damage. Even to cause the damage is prohibited. [Hilkhot Nizkei Mamon 5:1]<sup>19</sup>

In addition, efforts to reduce waste and promote recycling comport with the halakhic principle of בל תשחית – do not destroy (wantonly). As perhaps best reflected in Kiddushin 32a,<sup>20</sup> Hazal warned that anyone who wantonly breaks vessels, tears garments, destroys a building,

<sup>&</sup>lt;sup>16</sup> See, for example, Kohelet Rabbah 7:13:

בשעה שברא הקדוש ברוך הוא את האדם הראשון, נטלו והחזירו על כל אילני גן עדן ואמר לו: ראה מעשי כמה נאים ומשובחין הן וכל מה שבראתי בשבילך בראתי. תן דעתך שלא תקלקל ותחריב את עולמי, שאם קלקלת אין מי שיתקן אחריך

When the Holy One created the first man, He took him around all the trees in the Garden of Eden and said to him: See how beautiful and wonderful my works are. Everything I have created, I have created for you. Be mindful that you do not ruin and devastate my world, for if you ruin it, there is no one to repair it after you.

<sup>&</sup>lt;sup>17</sup> Known as "his arrows" (גירי דידיה) its sources are in the Talmud, Bava Batra 22b and elsewhere, and it is well described by Maimonides, Hilkhot Sh'khenim 10:5 למה זה דומה? למי שעומד ברשותו ויורה חצים לחצר חבירו ואמר: - ברשותי אני עושה – שמונעין אותו – To what does this compare? To one who stands in his own property and shoots arrows into his neighbor's yard and says: I'm doing it in my own property! - We prevent that. See also Shulhan Arukh, Hoshen Mishpat 155:22-23.

<sup>&</sup>lt;sup>18</sup> Rabbi Reisner, Al Pi Din, at p. 18.

<sup>&</sup>lt;sup>19</sup> These damages are damages to others. In a lovely midrash on Bava Kama 50b, the rabbis also insist that in damaging the public domain one also damages oneself. "Once a person was clearing his property of stones, into the public domain. A righteous person came upon him and said: 'Fool! Why are you clearing out property that is not yours into property that is yours?' The first person made fun of that [righteous one]. It came to pass that the first person had to sell his land, and, when walking by in the public property, he tripped on those very stones. He then realized: That righteous person spoke well when he asked me why I was clearing property that is not mine into property that is." <sup>20</sup> See also Shabbat 67b, Bava Kamma 91a, and Hullin 7b.

clogs a well, or does away with food in a destructive manner violates the negative mitzvah of *bal tashhit*. Thus, we have a halakhic imperative to ensure that the entities that produce our kosher food do so in a manner that does not abrogate our collective responsibility to till and to tend the precious natural world around us. We therefore should celebrate Magen Tzedek's requirement that all certified companies adopt comprehensive environmental programs to reduce waste, reduce pollution, and increase recycling.

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The development and now finalization of the Magen Tzedek Standards is a remarkable accomplishment. We have created, for the first time, comprehensive ethical standards which will elevate labor, health, corporate integrity, environment, and animal welfare practices for entities producing kosher products. Magen Tzedek will be a tool for Jewish consumers to be able to make previously unavailable righteous choices about their kosher eating. This is a significant step toward concretizing the goals that God and the Torah have set for the Jewish people, and is therefore an achievement that all Jews—Conservative or otherwise—should feel proud of and embrace within the kosher marketplace.