

Co-Ops for Kosher Meat

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This paper was adopted in 1986 by a vote of ten in favor and two opposed (10-2-0). The names of voting members are unavailable.

שאלה

May a co-op be set up by a group of people for the purpose of buying kosher meat if there is an established kosher butcher in the town, whose business would be severely affected by such a move?

תשובה

No doubt a kosher meat co-op would be attractive to young couples and older people with fixed incomes – indeed to everyone who would benefit from the less expensive meat.

Laws governing fair commercial dealings and business ethics are to be found in many parts of the Talmud, and Rabbi Louis Jacobs in his book *What Does Judaism Say About . . .* has a chapter entitled *Business Ethics* in which he quotes various sources.

Interestingly the whole problem of “outside שחיטה” was one with which European communities often had to deal. The rabbis were most protective of local שחיטה and discouraged or banned meat coming into a town from other sources. Recently in England, the *בתי דין* banned the import of Empire products from the U.S.A. in order to protect the local *kashrut*. Today such strictness is not observed since we all go from town to town – from suburb to suburb, etc., buying our meat without much thought of supporting only our local butcher.

In a small town things may be different. However, I have heard that the Satmar Rebbe, when asked a question similar to ours, had said that in a larger town or city one could establish a co-op, for in a larger city, a co-op would only be another source of kosher meat and would be fair competition. In a smaller community the Satmar Rebbe did not permit the establishment of a co-op, for it would adversely affect the local butcher.

The Committee on Jewish Law and Standards of the Rabbinical Assembly provides guidance in matters of halakhah for the Conservative movement. The individual rabbi, however, is the authority for the interpretation and application of all matters of halakhah.

A reading of the talmudic sources¹ all lead one to the conclusion that unfair competition was considered a most serious infraction of Jewish law.

Rabbi Moshe Feinstein deals in a responsum² with the prohibition people establishing a break-away synagogue. Here he touches on the whole idea of encroachment on another's livelihood where there is not sufficient business for both:

הנכון לע"ד שלא היה רשות לא להם ולא לשום אדם ליסד ביהכ"נ אחר במקום הסמוך וכו' דיש בזה איסור מהפך בחררה ויורד לאומנות חברו כמבואר בחת"ס חלק חו"מ סימן ס"א דבדבר שאין מקום לשניהם איכא איסור יורד לאומנות חברו.

It seems to me that neither they or anyone else have permission to establish another synagogue in the vicinity . . . For where there is not room for both it is forbidden to infringe on the livelihood of another.

He then goes on to quote from *Bava Batra* 21b.

It is true that the Talmud does, in at least one place³ frown upon merchants cornering the market, and raising prices of vital necessities.

It is important to know the details of each case. The high cost of Jewish living has caused many to neglect the laws of *kashrut*. This is a most serious problem. Very often the existing butcher does not deal in a fair and equitable way with the community. Abuses by those who feel they have a monopoly lead to these kinds of questions.

CONCLUSION

We must do all we can to encourage and facilitate the observance of *kashrut*. The formation of co-ops where people feel that they are not being treated fairly is acceptable. At the same time we must also be mindful of the rights of legitimate, honest businessmen who are entitled to make a fair profit. Where such butchers exist, this question would not arise.

NOTES

1. E.g., *Sanhedrin* 81a: unfair competition compared to adultery; *Baba Metzia* 60a; *Baba Batra* 21b: establishing a handmill next to an existing one resulting in the complaint, "You are interfering with my livelihood."

2. Iggrot Moshe, *Hoshen Mishpat* I, II 38.

3. *Yoma* 83a.