YOUNG ISRAEL OF HOLLISWOOD

In Conjunction with

GUIDE TO PESACH

2018

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By:

Rabbi Moshe Taub

With special additions by the BVK's founding Rav Hamachshir, HaRav Yirmiyahu Kaganoff shlit"a

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THIS GUIDE MUST NEVER BE USED FOR ANY OTHER PESACH OTHER THAN 2018/5778

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WRITTEN BY RABBI MOSHE TAUB [Formatted by R' Jonathan Fruchter]

ALL QUESTIONS AND COMMENTS CAN BE SENT TO THE AUTHOR AT vaadbuffalo@yahoo.com or www.bvkkosher.com

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Dr. Michael Chaskes, President — Rabbi Moshe Taub, Director

Mark Brown, Treasurer — Rabbi Eliezer Marcus, Regional Director

PREAMBLE:

FROM OUR INCEPTION – THE INJUNCTION AGAINST EATING FROM THE EITZ HADAAS (TREE OF KNOWLEDGE) – GD A-MIGHTY SAW THAT MAN COULD EASILY SANCTIFY HIS MOST PRIMITIVE AND ESSENTIAL NEED: THAT OF FOOD. THE TORAH DOES NOT EMBRACE UTTER ASCETICISM OR ABSTINENCE, RATHER THE SANCTIFICATION OF ALL BODILY NEEDS AND HUMAN DESIRES. WE ARE MEANT TO ENJOY THIS WORLD. HASHEM SAW TO IT THAT WE OUGHT TO HAVE AN EASY WAY TO TURN EVEN THIS – AND EVERY – MOST BASIC HUMAN NEED AND DESIRE INTO A SPIRITUAL CONQUEST. LET US ENJOY PESACH, AND THE FOOD, ALL THE WHILE FOLLOWING HALACHA – FOR IT IS NOT A CONTRADICTION.

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℘ HALACHA ☙

- ***CHUMROS (STRINGENCIES) ON PESACH***
- ***CLEANING FOR PESACH: IN PERSPECTIVE***
- ***KOSHER FOR PASSOVER PRODUCT LIST***

CHUMROS (STRINGENCIES) ON PESACH

"A PERSON IS OBLIGATED (BY TORAH LAW)[1] TO BE HAPPY AND IN GOOD SPIRITS ON THE YOMIM TOVIM; THE HUSBAND, HIS WIFE, AND THEIR CHILDREN…"

- SHULCHAN ARUCH ORACH CHAIM 529:2

Unfortunately, not only do many women not enjoy Pesach, they dread its arrival. The sad irony is that *chazal* teach that Pesach and the exodus it comes to celebrate are owed specifically to the Jewish women and their merits.[2]

Rabbis have seen all too often the joy of Pesach sullied, the anticipation for this holiday frustrated by unnecessary behavior done in the name of *halacha*.

We must put Pesach *chumros* in perspective.

It should be said at the outset that there are various wonderful *chumros* relating to Pesach, as well as innumerable *minhagim*, all of which *must* all be observed in their respective homes. We all know the words of the Ari Z'L that he or she who is careful for even a trifle of *chometz* will be protected from sin throughout the year.[3]

ꕥ *NEW CHUMROS*

We must remember that *chumros* do not exist in a vacuum bound by no rules whereby they can potentially metastasize into adversities that are unrecognizable even to their creators. *Chumros* too are restricted by rules. In fact, we need to be *machmir* regarding *chumros*, to learn when *chumros* are unnecessary and, sometimes, even forbidden.

In addition, by confusing *chumros* with real *halacha* we can create an atmosphere where what *has to be done* is eclipsed by what one *desires to be done*, leading to undesired consequences. In the words of the Netziv, "…we run away from the fox but into the mouth of a lion."[4]

What follows is meant as informational; all final ruling must come from one's own personal Rav.[5]

ꕥ *RULES RELATING TO CHUMROS*

1) **A *chumrah* must have a source -** All *chumros*, aside for one's personal / group's *minhagim* – must have a source – a singular opinion, for instance – found in the *poskim* and it certainly cannot go against a ruling of *chazal*. A stringency made up out of whole cloth is not acceptable unless it is a specific tradition or *minhag* that one has (by

tradition, we don't mean "well, I did it last year").[6, 7]

2) **A *chumrah* cannot conflict with a clear *halacha* -** If a newly decided-upon *chumrah* would be in direct conflict with a clear *halacha*, like *simchas* Yom Tov (enjoying the holiday – a *mitzvah* itself), it often needs to be abandoned.[8] (Unless this is a family *minhag*. In such a case, a rav would need to be consulted and *hataras nedarim* performed).
3) ***Chumros* relating to medicine in pill form** - All medicine in pill form, in the opinion of the BVK, is allowed on Pesach.[9] While at first the BVK was nearly alone in this public pronouncement, as of the past few years most *kashrus* agencies are publicly ruling the same.

4) **Taking on a *chumrah* for someone else** – One cannot take on a *chumrah* for someone else – or for one's wife.[10] Indeed, if a husband desires to take on *chumros* in cleaning for Pesach he is more than welcome to do so, *and his wife should show him where the cleaning supplies are kept*. Yes, we must be vigilant, *machmir* even, when it comes to the laws of Pesach. Yet let us remember the words of *chazal* (*Berachos* 8a, with Shlah) that the highest form of fearing Heaven is found in the person who merits the next world while also enjoying this world

5) **A wife foregoing her family *minhagim* for her husband** – the concept that a wife forgoes her family customs so as to follow the *minhagim* of her husband is not as simple – or as ancient – as many

assume. There are times when she would not, could not. ***This topic is discussed below in the article titled "'Mixed' Marriages"***

CLEANING FOR PESACH: IN PERSPECTIVE

Due to the fact that the many complicated *halachos* of Pesach-cleaning get tied together in our heads, let us here carefully delineate what the prohibitions are and what they are not. We can then more easily apply the *halacha* to common cases:

1) Aside for the prohibition against eating *chametz* and their mixtures on Pesach there is a separate, Biblical, prohibition of **possessing** *chametz* over Pesach.
2) There is therefore an obligation to check for, remove, and destroy all *chametz* in one's home on the 14th of *Nissan*. There is no requirement for cleaning unless directly related to the removal of *chametz*.
3) The custom today is to thoroughly clean our homes long before the night of the 14th. Some posit[11] that cleaning too well before the night of the 14th may establish our homes as being "*chametz*-free" thus obligating one to abstain from a *beracha* on the 14th. It is therefore advisable for the head of the household, on the night of the 14th, to either:
    A. See his job as also being to ask and determine if the house was cleaned well, and to search so as to verify the response he

received to that question (Rav Shlomo Zalman Auerbach; cf. Rama 433:11).

B. Make sure that a small portion of the house remain unchecked

before the 14th (Beis HaLevi).[12]

4) Aside from the *bedikah*, one must also nullify the *chametz* in their home before Pesach. This nullification alone – without any cleaning before or after – removes all Biblical concerns, **yet** the basic *halacha* still demands a thorough cleaning from, and burning / destroying of all *chametz* due to one of the following fears:
   A. Such a nullification may not have been done wholeheartedly.
   B. *Chametz* is something that we are allowed to eat all year; therefore having it in one's proximity over Pesach can lead to it mistakenly being eaten.
5) The Torah prohibition of possessing *Chometz* concerns only what is, minimally, the size of an olive. *Chametz* that is less than this size is of no **Biblical** concern. This should not be confused with the prohibition of **eating** *chametz*, which has **no** minimum *shiur* (measurement) [save for the *kares* penalty involved].
6) However, some rule that one must still remove such small crumbs out of Rabbinical concern (Chafetz Chaim [*sefer Machane Yisroel*]; Shulchan Aruch HaRav, et al.). all opinions agree that small crumbs less than an olive-size that are also slightly inedible are of no concern at all (Mishnah Berurah).[13] Certainly, if a heavy piece of equipment

might cover (likely disgusting) *chametz* that will be sold anyway – and be out of view – one need not move to clean behind it (e.g. oven, refrigerator) unless one fears large pieces of *chametz* may become

visible on Pesach.

7) If one fears there may be *chametz* behind a large appliance or shelf space (e.g. a bookshelf) that cannot be moved without great effort (e.g. unscrewing panels, or very tricky lifting) there is no need to remove it, especially if any *chametz* there would be inedible (Shulchan Aruch HaRav, some understand his words as applying to even large pieces of *chametz*).
8) Based on all of the above, while it is praiseworthy to clean *seforim* / books of tiny crumbs, it is not an obligation (Rav Shlomo Zalman Auerbach, et al.). Nevertheless one should not bring unchecked *seforim* to the table where a crumb could fall into food (Rav Moshe Feinstein). Pockets of clothing, however, must be checked (Rama).
9) All areas of one's home and property (e.g. car) must be cleaned of *chametz*, save for an area where one is certain no *chametz* has entered. In homes where young children are present, even such spaces must be checked unless the children have no way of entering.
10) All areas that are to be sold to a non-Jew for Pesach need not be checked or cleaned for *chametz* (Rav Shlomo Zalman Auerbach; cf. Mishnah Berurah 436:32). Nevertheless, any such *chametz* must be out of view over Pesach (behind a *mechitzah* / barrier of at least 38 inches

high). Regarding one who is selling their entire home, see sale sheet, page 20 below.

NOTES:

[1] Shagas Aryeh

[2] Sota 11b

[3] See Baer Heitev Siman 447:1. See also Zohar, Parshas Ki Seitei brought in Kaf HaChaim

[4] Relating to selling land in Eretz Yisroel during Shmitta.

[5] See introduction of Rav Yosef Karo to his Kesef Mishna and his Beis Yoseph. See also Maharal, Nesivos Olam, Nesiv HaTorah 15.

[6] Shlah, Shavous Ner Mitzva (47) s.v. Tachlis; Maharsha, Chulin 44a; Igros Moshe *oh'c* 3:73; Shulchan Aruch Harav *oh'c* 63:2; Drashos Chasam Sofer *chelek* 2 page 358 s.v. "*aval"*.; *shu't* Chasam Sofer *y'd* # 37, "If we gathered all the stringent views found in the *poskim* we would not be able to 'eat bread or drink water…"; See Darkei Teshuvah, *siman* 116:109, some would even say that it would be *apikorsis* in such a case to be *machmir*. Indeed, see the Pishchei Teshuva's comments regarding a ruling by the Issur V'Heter, *y'd* 116:10.

[7] Even Rabbanim are told to be careful to let the *questioner* know when a reply is based on a *halacha* or just a *chumra*. See Darkei Teshuvah ad loc and Shu't Ksav Sofer *y'd*#77. See Shulchan Aruch, *oh'c, siman* 485 and Mishne Berrura # 45.

[8] See the wonderful short essay based on a class given by Rav Scheinberg *zt'l* titled "Putting Pesach Cleaning In Perspective" found in Rabbi P. Eliss's "Preparing For Pesach" page 131-134 where this last point is focused on. It seems to me that Shabbos 148b supports this *heter*.

[9] See: Ksav Sofer 118; Igros Moshe 2:92 and 3:62; Chazon Ish 116:8. Minchas Shlomo 1:17. Even those who would disagree would at least agree that it is at worst only a *drabanan* of *achshivei*, and even then, only according to the opinion of the *Rosh*.

[10] *Pashut.* See also Igros Moshe *eh'e* 2:12 at end, et al., that a husband cannot be *machmir* against the

basic *din* when it affects only his wife.

[11] See Yarchon HaEmek [R. Moshe Goldberg] #17, Rabbi Lebhar, page 33; Halichos Shlomo ch. 5 [12] The *minhag* of leaving ten pieces of bread (Rama, *siman* 432) is also born from a similar, although not identical, concern. [13] Cf. Chazon Ish 116:17 who wonders if small crumbs under one roof are seen as combined to a *shiur k'zayis*.

KOSHER FOR PASSOVER PRODUCT LIST

BVK–RABBI MOSHE TAUB/**2018**

OK WITHOUT 'KOSHER FOR PASSOVER' SYMBOL	REQUIRES 'KOSHER FOR PASSOVER' SYMBOL	NOT OK on PASSOVER	BEST TO PURCHASE BEFORE PASSOVER

Children's Chewable Medication and Antacid List are found at the end of this list

ALCOHOL: ISOPROPYL - ALL (FOR EXTERNAL USE)	✓			
ALCOHOL: ETHYL - ALL			✓	
ALMOND MILK- see footnote #18 for list		✓		
ALUMINUM FOIL - ALL	✓			
AMMONIA – ALL	✓			
BABY CARROTS[1]	✓			
BABY FOOD – **Gerber Baby Food (from the OU):** **1. Jars of Carrots and Squash are acceptable for Passover *l'chatchila* (even for adults) when bearing the OU.** **2. Gerber Baby Food: Green Beans and Peas are *Kitniyot* when bearing the OU.** **3. First Choice Baby Food: Apple Sauce, Carrots, Pears and Sweet Potatoes are approved when bearing an OU-P or OU Kosher for Passover symbol.**		✓		
BABY WIPES – ANY BRAND W/OUT ALCOHOL	✓			
BABY OILS	✓			
BAKING SODA - ALL	✓			
BLEACH - ALL	✓			
BLUSH / ROUGE: POWDERED - ALL	✓			
BODY SOAP – ALL VARIETIES	✓			
BODY WASH – ALL VARIETIES	✓			
CARROTS – ALL (SEE ENTRY 'BABY CARROTS')	✓			

[1] Baby carrots are best with a 'kosher for Passover' symbol but may be purchased without one (the chemical the prevents oxidation sometimes is made from Kitniyos).

COCOA – ANY 100% PURE COCOA[2]	✓			
COCONUT FLOUR **Coconut Secrets** **Trader Joes Organic Coconut Flour both may be purchased without a KFP**		✓		
COCONUT-MILK **MUST HAVE A KFP, UNLESS FROM THE FOLLOWING BRAND: COCONUT DREAM** **Trader Joes Organic (canned) Coconut Milk**		✓		
COCONUT- OIL **MUST HAVE A KFP, UNLESS FROM THE FOLLOWING BRANDS:** *(Pure, Virgin Cocomut Oil fine without a KFP and even if not on this list)* ◦ **Trader Joes Organic triple filtered virgin coconut oil- *(Kosher Check)* - no P required** ◦ **Kirkland Organic virgin coconut oil- cold pressed; unrefined *(London Beth Din)* - no P required** ◦ **Carrington Farms(Star-KP Required) Refined Coconut Oil, Unrefined Organic Coconut Oil** ◦ **Shiprite (Star-K/No P Required) Refined Coconut Oil, Unrefined Organic Coconut Oil** ◦ **Natural Earth Products: (Star-KP Required) Organic Extra Virgin Coconut Oil Nature's Basket: (Star-K/No P Required) Unrefined Organic E.V. coconut oil Nature's Promise: (Star-KP Required) Unrefined Coconut Oil** **Wegmans Organic: (Star-KP Required)- Refined Coconut Oil Unrefined Coconut Oil**		✓		
COCONUT-Shredded **COCONUT FLOUR** ◦ **Coconut Secrets *(Star-K)* usable for Passover** ◦ **Trader Joes Organic Coconut Flour certified by Kosher Check is usable for Passover, not product certified by Kehilla Kosher (OK).** ◦ **Let's Do. Organic Coconut Flour (Heart K) not usable for Passover** ◦ **Let's Do Organic Creamed Coconut (Heart K)not usable for Passover** **Bob's Red Mill Coconut Flour (Kehilla Kosher, OK) not usable for Passover**	✓			
COFFEE: REG GROUND UNFLAVORED - ANY[3] (non-instant) See 'KEIRUG' Below	✓			
COFFEE: *INSTANT* (PLAIN) – The following is OK even without a KFP: FOLGERS (including Decaf!); NESCAFE (reg. only), VIA (reg. only); MAXWELL HOUSE: SANKA		✓		
CHEWABLE CHILDREN'S MEDICINE[4] **COCONUT MILK –only Coconut Dream**		✓		

[2] North-American made.

[3] See entry 'Keurig.'

[4] See CHILDREN'S MEDICINE LIST and ANTACID LIST following Product guide

(original) may be purchased with no KFP				
COFFEE (see above): INSTANT *DECAF* - ONLY Folger's may be purchased w/o a KFP		✓		
CONTACT LENS SOLUTION	✓			
CONTACT PAPER	✓			
CREAMS / OINTMENTS	✓			
DENTAL FLOSS: UNFLAVORED – WAXED OR NON-WAXED	✓			
DEODERANTS / ANTIPERSPIRANTS: POWDER AND SOLID STICK POWDER - ALL	✓			
Liquid DEODERANT / ANTIPERSPIRANTS[6]: LIQUID[5] see footnote			✓	
DETERGENTS - ALL	✓			
DISHWASHING SOAP – All (Palmolive and Ajax are best)	✓			
EGGS - ALL[6]				✓
EYE SHADOW	✓			
EYE-LINER	✓			
FISH: FROZEN RAW (wash before using). Should have a year-round certification[7]	✓			
FRUIT: FROZEN[8] HOWEVER, ALL CANNED AND DRIED FRUIT NEED A KFP	✓			
FURNITURE POLISH – ALL	✓			
GLOVES: RUBBER (LATEX) – W/OUT INNER POWDER COATING	✓			
HAND SANITIZER (ALCOHOL FREE) PURELL is NOT recommended	✓			

[5] This applies to deodorants / antiperspirants that have restorable denatured alcohol. This stringency only applies to items in a pure liquid form. The following are ***acceptable*** even in aerosol cans (liquid): **Arrid; Irish Spring; Mennen**

[6] Due to changes in how chickens and cows are fed one could indeed purchase milk and eggs on Pesach without any concern. We left the chart as is to avoid confusion.

[7] To assure the buyer that this is truly a kosher fish. Studies have shown that fish sold –especially in restaurants –is very likely not to be the fish they are claiming it is

[8] All whole or sliced frozen fruit is acceptable without a specific 'Kosher for Passover' symbol assuming it is unsweetened, additive free without syrup citric acid or ascorbic acid.

HYDROGEN PEROXIDE – ALL	✓			
ICE – BAGGED	✓			
INFANT FORMULA –[9] SEE FOOTNOTE FOR FORMULA BRANDS THAT *MAY* BE PURCHASED WITHOUT KFP		✓		
JUICES: FROZEN – ANY 100% PURE	✓			

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[9] Must use separate utensils due to *kitniyos*. Here is the OU list of acceptable brands without a KFP when bearing an OU: **Nutritional Supplements** -Arginaid, Arginaid Extra, Benecalorie, Beneprotein, Boost Glucose Control, Boost High Protein, Boost Nutritional Pudding, Boost Plus, Diabetishield, Enlive, Ensure Complete Nutrition Shake Ensure Healthy Mom Shake Ensure High Calcium Shake Ensure High Protein Shake Ensure HN, Ensure Homemade Shake, Ensure Plus, Ensure Plus HN, Ensure Plus Next Generation Ensure Shake, Ensure TwoCal, Fibersource HN, Glucerna, Glucerna 1.0, Jevity 1.0, 1.2, and 1.5, Liquid Diabetisource AC, Liquid Fibersource HN, Liquid Isosource, Liquid Isosource HN with Fiber Nepro, Nepro Vanilla, Nepro with Carb Steady Flavored Novasource Renal, Nutren (Product line) Nutrisource, Benefiber, Osmolite 1.0, 1.2 and 1.5 Osmolite HN (unflavored), Perative, Promote (except Promote with fiber), Pulmocare, Resource 2.0, Resource Dairy Thick Resource Diabetic Resource Milk Shake Mix, Resource Thicken Up, Resource Thickened Juice, Resource Shake Plus Simply Thick, Thick & Easy - All Thick-It, Vivonex Pediatric, Vivonex Plus, Vivonex Ten;

Pediatric Supplements –

BOOST KID ESSENTIALS, 1.0, 1.5; BOOST KID ESSENTIALS WITH FIBER; D-VI-SOL; ENFAMIL 5% GLUCOSE WATER; FER-IN-SOL DROPS; POLY-VI-SOL DROPS; TRI-VI-SOL DROPS; RESOURCE; JUST FOR KIDS WITH FIBER; PEDIASURE PEPTIDE; PEDIASURE VANILLA POWDER; PEDIASURE SHAKES; PEDIASURE SHAKES

Pediatric Electrolytes –

BRIGHT BEGINNINGS; COMFORTS FOR BABY; COTTONTAILS; CVS PHARMACY GOODNESS; H-E-B BABY; HOME 360 BABY MEIJER; MOM TO MOM; NATURALYTE; SHOPRITE; PARENT'S CHOICE; PEDIALYTE (ALL FLAVORS); TOP CARE WALGREEN'S WESTERN FAMILY

Infant Formula –

365 EVERYDAY VALUE; AMERIBELLA; AMERICA'S CHOICE FOR BABY; BABIES R US; BABY BASICS; BABY'S CHOICE; BABY'S ONLY ORGANIC BEAR ESSENTIALS; BELACTA; BELACTA PREMIUM; BELACTASURE; BERKLEY & JENSEN; BRIGHT BEGINNINGS; COTTONTAILS; CVS; DAILY SOURCE; DISCOUNT DRUG MART; EARTH'S BEST; ELECARE; ENFACARE; ENFAGROW; ENFALAC; ENFAMIL; ENFAPRO; FOOD LION; FULL CIRCLE; FULTON STREET MARKET; GERBER; GOOD START; GIANT; GIANT EAGLE; BABY HANNAFORD; H-E-B; HEINZ NURTURE HOME ; 360 BABY; HY-VEE; ISOMIL; KIRKLAND SIGNATURE; KUDDLES; LAURA LYNN; LIFE BRAND; LITTLE ONES; MEIJER BABY; MEMBER'S MARK; MOM TO MOM; MOO MOO; BUCKAROO; MOTHER'S CHOICE; MY ORGANIC BABY; NATURE'S PLACE; NESTLE; GOOD START; NEXT STEP; NUTRAENFANT; O ORGANIC; BABY PARENT'S CHOICE ; PREMIER VALUE; PRESIDENT'S CHOICE; PRICE CHOPPER; PUBLIX; RITE AID – TUGABOOS; SHOPKO; SHUFERSAL; SIMILAC; SIMILAC LEMEHADRIN 1, 2 & 3; SIMPLY RIGHT; STOP & SHOP; SUNRISE; SUPERVALU; TARGET; TIPPY TOES BY TOPCARE; TOP CARE; TOPCO; UP & UP; VERMONT ORGANICS; WALGREENS; WEGMANS; WELL BEGINNINGS; WESTERN FAMILY

GRAPEFRUIT OR ORANGE[10]				
JUICES: LEMON OR LIME – ONLY REALIME, REALEMON (LIQUID) MAY BE PURACHSED WITHOUT KFP, other brands needs a KFP		✓		
KEURIG COFFEE CUPS_SEE BELOW				

[10] Cannot contain sweeteners, additives, preservatives or enrichments.

KEURIG COFFEE CUPS[11] (see footnote)

	✓		

[11] Here is a list of acceptable K-Cups even with NO KFP, so long as non-Decaf and non-flavored (the BVK does not recommend *koshering* a Keurig coffee maker for Pesach, although it may be *koshered* the rest of the year). If you would like more information relating to *koshering* Keurig coffee makers for Pesach, please contact the BVK.

(OU)
ADAGIO
AHOLD USA WEDGE LOGO BARISSIMO
BARISTA BROS
BARISTA PRIMA COFFEEHOUSE BROWN GOLD
BUSCH'S
CARIBOU COFFEE
CHOCK FULL O'NUTS
COFFEE ICON
COFFEE PEOPLE
COMMUNITY COFFEE
DAILY CHEF
DIEDRICH COFFEE
DONUT HOUSE COLLECTION DUNKIN' DONUTS
EIGHT O'CLOCK
EMERIL'S GOURMET COFFEE ESSENTIAL EVERYDAY FOLGERS
FREDMEYER
FREEDOM RIDGE

GIANT EAGLE MARKET

DISTRICT
GREAT VALUE
GREEN MOUNTAIN COFFEE GREEN MOUNTAIN COFFEE -

NEWMANS'S OWN ORGANIC HILLS BROS.
ILLY®
JOFFREY'S COFFEE & TEA

COMPANY
KAUAI COFFEE
KIRKLAND SIGNATURE KRISPY KREME DOUGHNUTS

KROGER
LAUGHING MAN
LAVAZZA
MARKET BASKET
NEWMAN'S OWN
NEWMAN'S OWN ORGANICS ORIENT EXPRESS
PEET'S COFFEE
PRICERITE
PRIVATE SELECTION
PUBLIX GREENWISE
REVV
SEATTLE'S BEST COFFEE SECOND CUP
SHAZAM
SHOPRITE
SMART & FINAL
STARBUCKS
THE ORIGINAL DONUT SHOP TIM HORTON
TIMOTHY'S
TIMOTHY'S WORLD COFFEE TIMOTHY'S WORLD COFFEE -

KAHLUA COFFEE TOPS

TULLY'S COFFEE
VAN HOUTTE
WAWA
WEGMANS
WELLSLEY FARMS
WILD HARVEST ORGANIC

LACTAID MILK				✓
LAUNDRY DETERGENT - ALL	✓			
LIPSTICK (*chametz* ingredients)[12]		✓		
LOTION - HAND	✓			
MAKE UP: DRY/POWDERED – ALL VARIETIES	✓			
MASCARA	✓			
MEAT: FROZEN – Whole Pieces -ALL (SEE NEXT ENTRY)	✓			
MEAT:– GROUND and/or SEASONED		✓		
MEDICINE – DRINK SUPPLEMENTS, CHEWABLES & ANTACIDS – *SEE LIST FOLLOWING THIS GUIDE*		✓		
MINERAL OIL – ALL (no additives)	✓			
MILK[13]				✓
MOUTHWASH **All 'SCOPE' brand mouthwashes are ok WITHOUT A KFP; AS ARE, '*Listerine-Cool Mint*', '*Total-Care Zero*'**		✓		
NAIL POLISH	✓			
NUTS: RAW – WHOLE, CHOPPED OR GROUND[14] (However, see PECANS below)	✓			
OIL		✓		
OLIVE OIL-LIGHT OR REFINED		✓		
PURE 100% VIRGIN OLIVE OIL	✓			
OINTMENTS / CREAMS	✓			
PAPER GOODS	✓			
PAPER TOWEL ROLLS - ANY[15]	✓			
PLAY-DOH			✓	

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[12] If the lipstick contains *chametz* it should not be used and a fresh stick should be started on Pesach.
[13] Due to changes in how chickens and cows are fed one could indeed purchase milk and eggs on Pesach without any concern. We left the chart as is to avoid confusion.

[14] So long as it/they does not contain added preservatives, or other additives such as **BHT or BHA**. Shelled Pecans do require a KFP.
[15] The first three sheets and the last sheet attached to the cardboard should not come in direct contact with food as a corn starch based glue may be used.

PECAN PIECES (and MIDGET PECANS)		✓		
PET FOOD[16]		✓		
PLASTIC DISPOSABLES	✓			
PLASTIC WRAP	✓			
POWDER – FACE AND FOOT (INK & PAINT)	✓			
PURELL HAND SANITIZER (see 'hand sanitizer')			✓	
QUINOA[17]		✓		
RICE MILK[18] see footnote		✓		
RUBBER GLOVES (W/O POWDER COATING)	✓			
SALT: NON-IODIZED, W/O DEXTROSE OR POLYSORBATES	✓			
SELTZER – ALL PLAIN VARIETIES[19]	✓			
SILVER POLISH	✓			
SHAMPOO – ALL VARIETIES	✓			

[16] It is biblically prohibited to serve pet food to one's pet on Pesach should it contain Chometz; Kitniyos is fine. For a complete list, see below.

[17] It is best to find a brand that has a reliable 'kosher for passover' symbol. If one cannot find such a brand he may purchase a brand that does not have a 'kosher for passover' symbol provided that he carefully checks the grains before Pesach for any extraneous matter. Some rabbis do not permit quinoa on Pesach.

[18] Soy and Rice are ***kitniyos*** and their 'milk' may contain *chometz*. Under normal circumstances one mustn't consume them on Pesach. Those found in the list below are *chometz* free and may be consumed by someone who is allowed to eat *kitniyos* (e.g. one who is ill). Of course, one can choose to purchase **Almond milk** from the list provided by that entry, or one can make it at home for Pesach. *Should someone have a choice between Soy Milk and Rice Milk then Soy Milk is the better choice as Soy wasn't introduced to Europe until about 100 years, ago long after the kitniyos decree. It is recommended that those who require these products ideally purchase them before Pesach.*

SOY MILK LIST FOR THOSE YOUNG OR ILL (From OU and STAR-K):

365 EVERYDAY VALUE *Original, Light, and Unsweetened;* ***BEST CHOICE CLEARLY ORGANIC; FIT & ACTIVE ORGANIC FIT & ACTIVE; FRESH & EASY SOYSENSE; GIANT GREEN WAY; HARRIS TEETER NATURALS ORGANIC; HARVEST FARMS HY-VEE; HARRIS TEETER NATURALS ORGANIC MARKET BASKET; UNSWEETENED; MEIJER; NATURAL DIRECTIONS ORGANIC; NATURE'S PLACE; NATURE'S PROMISE ORGANIC; O ORGANICS; SHOP RITE ORGANIC SHOP RITE; SILK; SOY DREAM STOP & SHOP; WESTERN FAMILY ASEPTIC; WINN-DIXIE ORGANIC***

RICE MILK LIST FOR THE YOUNG AND ILL (From OU and Star-K)

365 Everyday, Full Circle, Harris Teeter, Hy-Vee, Market Basket Enriched Meijer, Nature's Place , Price Chopper Enriched, Rice Dream Enriched Unsweetened, RiceSense Enriched Shop Rite, Tree of Life, Wild Harvest Enriched , Winn-Dixie

[19] This refers to brands that have a 'kosher' symbol on them, even though they do not have a 'Kosher for Passover' symbol.

SOAP - ALL[20]	✓			
SOY MILK see footnote #18 for list		✓		
STEVIA		✓		
SUGAR – GRANULATED, CANE[21]	✓			
SUGAR - BROWN[22] -see Footnote for those that MAY be purchased without a KFP		✓		
TAPIOCA STARCH		✓		
INSTANT TEA - ONLY NESTEA BRAND – UNFLAVORED/UNDECAF INSTANT MAY be purchased without KFP		✓		
DECAF TEA BAGS ONLY LIPTON brand DECAF BAGS (UNFLVD) MAY BE PURCHASED WITHOUT A KFP		✓		
TEA BAGS –NON DECAF AND UNFLAVORED only, (pure white, green or black)	✓			
TOOTHPASTE[23] THE FOLLOWING ARE FINE WITHOUT A KFP: COLGATE, CLOSE-UP, AIM are fine in all varieties; ACT BRACES CARE; BABY OREJEL; ORIJEL; PEPSODENT	✓			
VASELINE	✓			
WAX PAPER	✓			
WINDEX	✓			

[20] It is commendable to purchase Passover brands.

[21] All pure, no dextrose added.

[22] The following BROWN SUGAR may be purchased in non-decaf and non-flavored only even without a KFP (OU): ALBERTSON'S, AMERICA'S CHOICE BEST YET, BETTER VALUE BI-LO, COLONIAL SUGAR, DIXIE CRYSTALS, FOOD CLUB, HOLLY SUGAR, HY-TOP , IMPERIAL, JEWEL, KROGER, MARKET PANTRY, MONARCH, PARADE, PIONEER, SAVANNAH GOLD, SHOPRITE, SHURFINE, SOUTHERN HOME, SYMPLE, WEST CREEK, WINN-DIXIE

[23] If no "kosher for Passover" toothpaste is available, one may rely on the many lenient views, but should only purchase Colgate or Aim (all varieties).

IMPORTANT NOTES

1 - ALL JOYVA PRODUCTS (UNDER R' SHEINKOFF JUST FOR PESACH) ARE STRONGLY DISCOURAGED AND OFTEN CONTAIN REAL KITNIYOS [24]

*2 - **All** types of ointments, creams, nail polish, body wash, shampoo, hand lotions (as opposed to hand sanitizers), eye shadow, eyeliner, mascara, blush, foot and face powders, and ink and paint **may be used regardless** of its ingredients.*

3- Colognes, perfumes, hairspray, shaving lotions and deodorants that have restorable denatured alcohol should not be used. THIS STRINGENCY ONLY APPLIES TO ITEMS IN A PURE LIQUID FORM. In cases of need, or to find out about specific brands, one should speak to their Rabbi.

*4 - **Lipstick** that contains chometz should not be used and a fresh stick should be started on Pesach.*

[24] Although mixtures containing non-majority amounts of *kitniyos* are fine to eat on Pesach, nevertheless these products should be avoided (a) because they were nullified on purpose for all Jews and not just *sefardim* and (b) this rabbi allows certain ingredients that are not acceptable by most even for *all year round use*.

Recommended MEDICAL DRINKS, CHILDREN'S & ADULT CHEWABLES and LIQUIDS

ALL PILL FORMS MEDS ARE FINE FOR PASSOVER (see p. 29)

-For The** United States **ONLY-

Medical Beverages, Diacritics, Drinks and Supplements –

ARGINAID; ARGINAID EXTRA; BENECALORIE; BENEPROTEIN; BOOST GLUCOSE CONTROL; BOOST HIGH PROTEIN; BOOST NUTRITIONAL PUDDING; BOOST PLUS DIABETISHIELD DIABETISOURCE AC; ENLIVE; ENSURE COMPLETE NUTRITION SHAKE; ENSURE HEALTHY MOM SHAKE; ENSURE HIGH CALCIUM SHAKE; ENSURE HIGH PROTEIN SHAKE; ENSURE HN; ENSURE HOMEMADE SHAKE; ENSURE PLUS ENSURE PLUS HN; ENSURE PLUS NEXT GENERATION; ENSURE SHAKE ENSURE TWOCAL FIBERSOURCE HN GLUCERNA 1.0 GLUCERNA 1.2 GLUCERNA 1.5 ISOSOURCE; ISOSOURCE HN WITH FIBER; JEVITY 1.0; JEVITY 1.2; JEVITY 1.5; NEPRO; NEPRO VANILLA; NEPRO WITH CARB STEADY FLAVORED; NOVASOURCE RENAL NUTREN (PRODUCT LINE); OSMOLITE 1.0, 1.2, 1.5; OSMOLITE HN (UNFLAVORED); PERATIVE; PROMOTE (EXCEPT PROMOTE WITH FIBER); PULMOCARE; RESOURCE 2.0; RESOURCE DAIRY THICK; RESOURCE DIABETIC; RESOURCE MILK SHAKE MIX; RESOURCE THICKEN UP; RESOURCE THICKENED JUICE; RESOURCE SHAKE PLUS SIMPLY THICK; THICK & EASY -- ALL THICK-IT; VIVONEX PEDIATRIC VIVONEX PLUS VIVONEX TEN

Advil - Children's Suspension in all flvs; **Advil** Infant Drops;

Allegra – Allegra Allergy Infant Drops, Allegra Allergy Children Oral Suspension (**CRC, however, does not recommend Allegra products for Pesach, our inclusion comes from HaRav Gershon Bess shlit'a);**

Bayer Children's Aspirin; Benadryl –Children's Allergy Chewables, Liquid, Allergy Plus Congestion**,** Children's Dye-Free liquid–***BAYER CHERRY AND ORNAGE FLV.- AVOID IF POSSIBLE***);

Benadryl - Children's Allergy Chewables and Liquid, Allergy Plus Congestion;

Claritin - Chewable Tablets (***NOT*** the redi-tabs) and Syrup. Note; CRC does ***not*** recommend Claritin products for Pesach);

4KIDS SNIFFLES&SNEEZES CONTAINS CHOMETZ

4Kids-Cold and Cough, Grape; Couph Syrup; Complete Allergy;

Hyland- Baby Cold Syrup; Teething tabs; Mucus and Cold; Baby Couph;

Metamucil –Plain, Course is OK; Orange Flv contains *kitniyos*. Those with serious conditions should sspeak to their *rav* who may allow them such *kitniyos*. ***See ANTACID*** *list below.*

Motrin- Children's Suspension (Berry- Reg, as well as 'Dye-Free'), Concentrated Infant Drops (Berry- Reg & Dye-Free and Reg.);

Simply Saline – Children's Cold Formula and Children's Allergy

Sudafed –Children's Nasal Decongestant, Berry;

Tylenol Children Suspension Cherry; **Tylenol** Pain and Fever Chewables; Cold and Sore Throat Cool Burst Liquid Concentrated Drops Cherry, Grape and Dye Free (Infant); Sore Throat Daytime & Nighttime Liquid

Recommended ANTACIDS

United States ONLY

AlkaSeltzer Orginal Tabs, and Xtra Strength; Plus Cold and Couph Cool Mnethol; LemonLime;

Imodium AD A-D Oral Solution (Liquid)

PeptoBismal *(plain, liquid);* ***PeptoBismol*** *Chewables*

Metamucil *Course Milled and Unflavored;*

Rolaids & Tums- KITNIYOS

Pet Food

–FROM STAR-K GUIDE-

CATS

Blue Wilderness Grain Free (dry): Adult (Duck, Indoor Chicken, Rabbit, Red Meat, Salmon, Trout, Weight Control), Kitten (Chicken)

Evanger's: When bearing cRc Passover approval.
Friskies (canned): Paté Chicken and Tuna Dinner, Paté Classic Seafood Entrée, Paté Country Style Dinner, Paté

Mariners Catch, Paté Salmon Dinner

Kirkland (Costco) (dry)**:** Healthy Weight Indoor Adult, Maintenance Chicken & Rice, Natures Domain Salmon Meal & Sweet Potato

Merrick Grain Free Limited Ingredient Diet (canned): Real Chicken, Real Duck, Real Salmon, Real Turkey **Merrick Purrfect Bistro Grain-Free** (dry): Adult (Healthy Weight, Real Chicken), Healthy Senior **Merrick Purrfect Bistro Grain-Free** (canned): Chicken Casserole, Chicken Divan, Salmon Paté, Tuna Paté **Prescription Diet**: a/d, d/d except duck, m/d canned only, r/d, s/d, t/d, zd.

Wellness Core Grain-Free (dry): Adult , Indoor, Kitten, Original
Wellness Core Grain-Free Clasic Paté (canned): Indoor, Kitten, Whitefish & Salmon & Herring

FISH

Fish food and vacation blocks often contain *chometz*. The following are acceptable: Zoo Med Laboratories Giant Plankton Ban- quet Block Feeder and Tetra Tropical Slow Release Gel Feeders (Tetra Weekend 5 days, and Tetra Vacation 14 days). Goldfish and tropical fish can be given the following items, provided they do not contain fillers: tubular worms, frozen brine shrimp, and freeze dried worms.

BIRDS

(Parrots, Parakeets, Cockatiels, Macaws)

STAR-K expresses appreciation to Dr. Aaron Weissberg for his assistance in preparing the following guidelines.

- ③ Millet and sorghum as main diet.
- ③ Peanuts, sunflower seeds, and safflower seeds can be given.
- ③ Larger birds such as parrots can eat pure alfalfa pellets (make sure it is pure alfalfa since it is common to add grains) or dry dog food (see above for list).
- ③ Smaller birds can also have pure alfalfa pellets; crush before feeding.
- ③ Can supplement with cottage cheese, rice cakes (birds like to eat these), small pieces of lean meat, *matzah*, berries,

  eggs, canned baby fruits. All large food should be shredded before serving. These items should be given sparingly.

- ③ For minerals, can have oyster shells (calcium) or mineral block.
- ③ The greater the variety, the better.

2018 PET FOOD LIST

DOGS

Alpo Chop House (canned): Filet Mignon and Bacon Flavors cooked in Savory Juices, Prime Rib Flavor cooked in Savory Juices, Roasted Chicken and Top Sirloin Flavors cooked in Savory Juices, T-Bone Steak and Ribeye Flavors cooked in Savory Juices

Blue Freedom Grain Free (dry): Adult (Lamb, Chicken), Small Breed Puppy, Chicken
Blue Freedom Grain Free (canned): Chicken Recipe (Small Breed, Puppy), Grillers (Hearty Beef, Hearty Lamb,

Hearty Chicken, Hearty Turkey)

Blue Wilderness Grain Free (dry): Adult Chicken Recipe, Adult Duck Recipe, Adult Salmon Recipe, Puppy Chicken Recipe, Senior Chicken Recipe, Small Breed Adult Chicken Recipe,

Blue Wilderness Grain Free (canned): Duck & Chicken Grill, Salmon & Chicken Grill, Turkey & Chicken Grill **Evangers:** When bearing cRc Passover approval.
Hills Ideal Balance Grain Free (dry): Adult Natural Chicken & Potato
Mighty Dog: (canned no gravy): Chicken Egg & Bacon Country Platter,

Chicken & Smoked Bacon Combo, Hearty Beef Dinner, With Lamb and Rice.

Prescription Diet: a/d, d/d, h/d, n/d, s/d, u/d, r/d.

Science Diet Grain Free (dry): Adult (Chicken & Potato)

Wellness Core Grain Free (dry): Ocean, Original, Reduced Fat, Small Breed.

Wellness Core Grain Free (canned): Beef & Venison & Lamb, Puppy, Turkey & Chicken Liver & Turkey Liver, Whitefish & Salmon & Herring

Wellness Core Grain Free Ninety Five Percent (canned)**:** Beef with Carrots, Chicken with Broccoli, Turkey with Spinach

GECKO

Gecko: Repashy Crested Gecko Meal Replacement Powder

HAMSTERS, GUINEA PIGS, GERBILS & RABBITS

- ③ Best to feed pure alfalfa pellets. Make sure it is pure alfalfa since it is common to add grains. Dried alfalfa may also be given.
- ③ Can supplement with mixture of cut-up fruits and vegetables – carrots, broccoli, apples, melon, kale, parsley, oranges, celery, dry corn, sunflower seeds, cabbage. Can also give some *matza*. If not accustomed to these items, give sparingly.
- ③ Guinea pigs especially will benefit from kale, parsley and oranges.
- ③ Hamsters especially will benefit from apples.
- ③ Guinea pigs need vitamin C added to diet.

ADDITIONAL PET FOOD INFORMATION

- Mixes sold in stores often contain *chometz*. It is advisable for pet owners to slowly wean their pets off their regular chometz pet food diet. This is accomplished by mixing regular and *Pesach* food between one and two weeks prior to *Pesach* before switching completely to *Pesach* food. The ratio of regular and *Pesach* food should be changed slowly to get the animal used to the new diet. Check with your veterinarian before changing diet.
- Pure Timothy Hay is not *chometz* and may be used.

PILL-FORM MEDICATION

IT HAS BEEN THE POLICY OF THE BVK FOR THE PAST 10 YEARS THAT ***ALL*** *MEDICATION* ***IN PILL FORM*** *THAT ARE SWALLOWED –* ***AND NOT CHEWED*** *– ARE PERMITTED FOR USE ON PESACH REGARDLESS OF ITS INGREDIENTS (K'SAV SOFER 111; IGROS MOSHE 2:92; CHAZON ISH 116:8; MINCHAS SHLOMO 1:17, INTER ALIA). VITAMINS (PILL FORM) TAKEN ON DOCTOR'S ADVICE ARE INCLUDED. PLEASE SPEAK TO YOUR RABBI FOR A FINAL RULING ON PILL-FORM MEDICINE, AS SOME MAY DISAGREE WITH THIS RULING OF R' MOSHE FEINSTEIN, ET AL.*

SALE OF CHAMETZ FORM 2018 - 5778

PLEASE RETURN FORM **BEFORE 9 AM MONDAY morning APRIL 10 to Rabbi Taub.** One may email completed form to moshemtaub@gmail.com or vaadbuffalo@yahoo.com. Feel free to call Rabbi Taub @ 732.232.4911

I, _____ hereby authorize Rabbi Taub, or his agent, to sell my *chometz* and to rent the room where it is stored to a non-Jew of his choosing.

The *chometz* is currently located at:

Home: _____ City: _____ State: ____

Specific location at this address: _____

Business: _____ City: _____ State: _____

Specific location at this address: _____

The *chometz* I am selling includes:
(Please place an 'x' in the white box next to each category of *chometz* you are selling)

Baked Goods		**Groceries**		**Whiskeys**		**Pasta**		**Yeast**					
Medications		**Cough Med**		**Cosmetics**		**Cereal**		**Pet Food**		**Flour**			
Mouthwash		**Perfumes/Colognes**		**Stock in Companies Owning *Chometz***				**Other**					

Check if Applicable

☐I will not be home all of Pesach and therefore am selling all Chometz in my property. The buyer can gain access to his *chometz* by contacting _____, who will have a key or combination.

I give the buyer free access to his *chometz* at the above location(s). The buyer's deposit will be paid to Rabbi Taub or his agent. The *chometz* has an approximate value of $_____. An exact appraisal of the *chometz* will take place after Pesach by three experts. I realize the *chometz* may be sold for less than its market value. I also realize that **even *Chometz* I am not aware of will be sold**.

Signature: _____ Date: _____

Phone: _____ Hebrew Date: _____

1 -Those planning on being away for all of Pesach should leave a small area remain unsold and in need of a bedika.

2 –Chabad Chassidim Should Sell To a Rav Who Uses An Erev Kablan (I do not use this method)

3 – Those Selling PETS should let Rabbi Taub know

HOW TO KASHER –A PRIMER

-A List of Common Kitchen Items, and How to Kasher Them Will Follow -

The laws of *koshering* are quite involved and confounding. There are innumerable *Halachik* possibilities and outcomes depending on the material being *kashered*, how it was used in the past, and for what purpose it is now being *kashered*. *Therefore it is critical to have a rabbi direct a person in this process*, especially if it is one's first time *kashering*.

The goal of this short essay is for a most ***basic*** review, and so as to give one information so that they know what to ask their personal Rabbi.

There are two major categories of *kashering*:

1) ***Libun*** – *koshering through heat* – it is the process by which one *kashers* a material through using heat or fire to the point of causing the material being *koshered* to glow or spark (about 800 degrees)
2) ***Hagoleh*** – *koshering through a liquid [water] medium* – it is the process by which one *kashers* a material by using a boiling liquid medium (preferably water)

In addition, each one of these two has subcategories, the most common of which being:

1) ***Libun Kal*** – subcategory of ***Libun*** – it is the process of using heat to *kasher* an item **but only** so as to create a strong heat throughout the material, without a glow.
2) ***Iruy*** – subcategory of ***Hagoleh*** – it is the process of *kashering* a material by **pouring** the liquid medium onto the item, as opposed to dipping the material into the liquid medium.

HAGOLEH

Whenever *koshering* with *Hagoleh* the utensil must first sit idle and clean for 24 hours prior.

A utensil of a specific class (e.g. non-kosher; meat; dairy; *chometz*) that became that class through being used to cook food with a liquid medium (e.g. a pot used for boiling spaghetti), should one desire to *kasher* it, must have their class removed through the same means by which its current class first entered.

Meaning, a pot that became infused with *Chometz* through a liquid medium while directly on the stove, must be boiled with water directly on the stove to remove that infusion.

Chometz dishware (metals) should be *kashered* by submerging them in a (Passover) pot of rolling-boiling water. Should the cold dishware slightly cool down the water, one should wait until the water is in a rolling boil again before removing them. One washes off the dishware with cold water

after the *kashering*.

A pot that one wishes to *kasher*, yet that will not fit into another pot of boiling water, should (rest for 24 hours and then) be filled to the rim and placed on top of the fire. As it is boiling one should take a hot stone –or the like –and place it into the boiling pot. This will allow the water to spill over the sides, thus *koshering* any area that came into contact with food.

IROY

A material that came into contact with hot *chometz* liquid, without direct heat or fire (e.g. a countertop that hot *chometz* soup [liquid] spilled upon), needs only hot boiling water spilled onto it.

In any case where Hagoleh or its subcategories are demanded, Libun Kal would work as well.

Please Note: Modern countertops made of a material that may be kashered (e.g. marble) often comes into direct contact with hot dry food (e.g. hot spaghetti). In order to kasher our countertops (should they be made of material that can be koshered) one may need to use both hot water and a hot stone. One's personal rabbi should be consulted.

LIBUN

When a utensil became a specific class due to direct contact with a class of hot food with no liquid medium (e.g. an oven, b-b-q, Teflon™frying pan) then *Libun* must be used to *kasher*.

There is a debate if *Libun* may be viewed as pragmatic. Meaning, if an oven's highest cooking temperature is, say, 500° can one perform *Libun* at 500° as opposed to the usual 800°, since anyway the infusion could have only occurred at 500°?

The opinion of Rabbi Aaron Kotler of Lakewood was to allow such a pragmatic view of *Libun*, while Rabbi Feinstein rejected it. According to the latter view, one must always –at the very least –self-clean the oven in order to *kasher* it.**{The minhag today in Chabad is to always perform a full Libun on ovens, & with a blowtorch}**

For Pesach, most follow the more stringent view of Rabbi Feinstein, however they rely on the self-clean mode alone to get the oven to a *Libun* temperature. Whichever view one follows, a (non-rigorous) cleaning with Easy-Off™ (or the like) should be done beforehand.

Not every type of material may be *koshered* for Pesach. One's Rabbi must be consulted for a complete list of materials that may and may not be *koshered* for Pesach.

Common Questions

A)"*What's the story with **towels** and **tablecloths**? Can I use a freshly washed towel to dry any type of dish, or must I have designated milchig and fleishig towels? What about on for Pesach"*

This is an important question that is first discussed by the *Ramban*. From the *Shulchan Aruch* (89:4) it would seem that one must keep separate tablecloths for both meat and milk. This is because of the

fear of some droplets of one gender (meat/milk) becoming mixed with the other.

However, many explain that this *psak* was written when they would eat without plates, directly upon the mats. Today, when we eat on plates (which are then placed on clothes or tablemats) there is no concern.

While not everyone accepts this leniency, the consensus is that should one wash these cloths in-between meals then they can be used interchangeably.

Nevertheless there is a custom among some to maintain certain tablecloths for meat meals and visa versa so that it should never be used for the opposite gender by accident before it is washed.

Today many women use vinyl, or pleather, for their Shabbos tablecloths, as it does not easily stain and does not need washing week to week. Based on the lenient opinion stated above these may also be used for *milchiks* even without washing. However it is best to be strict and wash it well in-between.

Most *poskim* extend the above to dishtowels and *shmattas*, allowing one to use them interchangeably when washed. If one forgot to wash them and used them interchangeably a *rav* should be consulted. He will likely be lenient (especially after the fact) for *shmattas* do not typically come into contact with hot food/liquid. Nevertheless, these too should be washed in-between switching them.

Some write that dish***cloths*** (used in the actual scrubbing and cleaning of meat/dairy dishes) should never be switched unless cleaned with a heavy detergent.

B) *"I am confused as to the status of **glass** in Halacha"*

As we know, vessels made from earthenware are generally not *kasherable* due, partly, to its highly porous nature.

Glass however is hard and non-porous, yet is made from the same sand, or silica, as earthenware. This puts glass in a questionable category *halachicly*.

The Gemara seems to give us no clear direction as to how we are to view glass in terms of its *kashering* status making this material vexing in terms of its *halachic* status.

The central two views are:

- The *Shluchan Aruch*, and many *sefardim* –follow the lenient view that glass may be used interchangeably between hot meat and milk, or *chometz* and Pesach, so long as they are cleaned in-between.
- The *Rama* quotes the more stringent view, that glass should be considered in many ways like earthenware and therefore cannot be *kashered*, and they certainly can't be used interchangeably.

The *Rama* says that this latter view has been the *minhag* among *ashkenazim.*

Nevertheless, even according for *ashkenazim* there are leniencies we employ by glass not found by earthenware or even metal utensils.

Some argue that the Rama was referring to Pesach only and the rest of year one may *kasher* glass if it is known not to break when exposed to high heat, such as Pyrex. Based on this, Rav Moshe Feinstein even allowed using a meat dishwasher to clean dairy glassware.

Others disagree with this yet would agree that one may use dairy glassware for *cold* meat dishes, and visa versa. This is true even if the glass was used for hot dairy (but not placed in the oven itself) and now is being used for cold meat or visa versa.

Yet, almost all agree that relating to ***meals*** glass may be used interchangeably. Meaning, cups for *cold* soda can be utilized at both meat and dairy meals. The same would apply to glass plates used for hot dairy and later used to serve cold *parve* cake at a meat meal.

Rav Shlomo Zalman Aurbach rules that a glass coffee mug that was used with milk may be served with *parve* coffee at a meat meal that same day (if cleaned).

C)"*May **Granite** be koshered for Pesach?"*

Granite is, essentially, a type of stone. The question then is how does *halacha* view stoneware?

Amazingly this is an ancient debate as it is not decisively discussed in the *gemara*.

There are three major views: A) Stone is a material that may never be *kashered*. B) Stone is to be viewed as a material that never <u>*needs*</u> to be *kashered*, for –as the questioner asserted –it does not absorb. C)

Stone is a material to be treated similar to a metal utensil in that it *can* absorb yet one could remove that absorption through *kashering*.

The generally excepted practice is to view all stoneware –including granite –like the last view, no different than a metal utensil.

Therefore when one purchases a granite (stone) countertop it may used right away (as a countertop is not a *keli* and would therefore not require *tevila*). However, should *trief* fall upon it, or any other forbidden mixture, one would need to *kasher* it.

For Pesach as well one may *kasher* granite if they wish to use it for the *yom tov.*

The method for *kashering* granite countertops (and any countertop made from a *kasherable* material) is to clean it, wait twenty-four hours, and then to pour still boiling water over the entire surface.

One's personal *rav* should be consulted if he recommends adding a hot stone to the *kashering* process (how to incorporate a hot stone to the pouring process is beyond our purposes here).

A final word: the reader should note that there are 'granite' countertops that are not 100% granite. Rather these are composites and can contain other stones (e.g. quartz) as well as plastics (resin). The most famous example is the Israeli company CeaserStone and the North American made Hanwa L&C Surfaces (certified by the BVK), which are essentially made up of ground stones and resin (and dyes).

While the BVK is of the opinion that these have the same status as pure granite, not all *rabbanim* agree, and one's personal *rav* should be consulted.

Common Kitchen Appliances and How to Kasher Them

Microwaves:

One should preferably purchase a new microwave for Pesach, as they are relatively cheap. This is due to the plastic(s) found in them, as many do not *kasher* plastic for Pesach. However, if one needs to *kasher* a microwave:

- Remove the glass tray for the duration of Pesach
- Microwave should not be used for 24 hours
- A **large** Styrofoam or microwave-safe bowl should be filled to top with water. The microwave should be turned on high for at least 10 minutes.
- Once the above is done, and the water is steaming the inside, pour what remains around the sides and floor of microwave.
- Rinse off with a wet *shmatteh*
- Cover the inner door glass door with microwave-safe paper

Oven:

Because an oven requires Libun Gamur, self-clean mode is the best method of koshering. One should first do a basic (should **not** be rigorous) cleaning of the inside with easy-off or the like. The oven **need not** be in disuse for 24 hours prior, as Libun does not require that.

For Ovens that do not have self-clean modes:

- According to Rav Aaron Kotler and Rav Soloveitchik one may *kasher* such an oven by:
- Leaving it in disuse for 24 hours
- Cleaning the inside, walls and door (and nooks and crannies) **very** well with easy-off or the like
- Leave oven on the highest tempature for 2 hours –one hour on broil/highest and one hour on bake/highest

Stove-Tops

Gas Stove-Top:

Option #1

- Clean the gates from visible food (***very*** basic cleaning)
- **Leaving the grates where they are**, Cover entire area of stove top with tin foil or, better yet, a blech

- Turn all burners on the highest heat
- STAND GUARD and carefully wait 5-10 minutes
- Remove all foil
- Now, only cover the area in-between the grates (this material can't be *koshered*)

Option #2

- Do not clean grates **at all**
- Place grates inside the oven before *koshering* the oven on self-clean (if this applies to you)
- Now, only cover the area in-between the grates (this material can't be *koshered*)

Option #3

- Clean grates **very well** from all food
- Cover grates completely with foil
- Only cover area in-between grates (this material can't be *koshered*)

Option #4

- Buy new grates for Pesach
- Cover the area in-between the grates (this material can't be *koshered*)

Electric Stove-Top

- Clean coils from visable food
- (Let dry is wetted)
- Turn to highest heat for five minutes
- Cover area in-between stove-tops (this material can't be *koshered*)

Glass Stove-Tops (or Ceran, Corning or Halogen)

- Clean entire area well, especially the burner area
- Turn on all the burners on their highest setting for 5-10 minutes
- The area in-between should be covered (as this material can't be *koshered* due to breakage). NOTE: do not cover with anything heavy, rather simply use foil (manufacturers say this can break top otherwise)
- At this point some Rabbis say your stove-top (but not area in between) may be used for Pesach. Others, perhaps most, however say that one would still need to place on top of stove-top/element a metal disk (1/8-2/8 thick) and then place pots upon that during Pesach

Warming Drawers

Do Not *Kasher*

Pots, Pans, Silverware and other Metals

All **metals**, **stone**, and **wood** utensils for which one uses with hot food, and for cooking (i.e. NOT with food directly on the fire {tongs} or a dry heat {sheet pans}):

- Take a kosher clean Pesach or Non-Pesach pot that has not been used in 24 hours
- Fill up with water. ***NOTE: One only needs enough water so as to cover the utensils being koshered***
- While still on the fire, **and in a rolling-boil,** place utensils into pot
- Once completely submerged, and so long as the water did not cool to the point of causing it to stop boiling, one may remove the item right away.

- Wash-off utensil and place in a Pesach-safe zone

- Repeat with the rest

One may kasher many pieces at once so long as they are carfeul that each **entire** item is submerges, and, that if the many utensils cause water to cool, they wait for it to boil again.

FOR POTS:

- Wait 24 hours
- Fill up to tippy-top
- Boil
- Once boiling, place inside a hot item, such as a rock (we use a HOT item so as not to cool down the boil) and place inside. The purpose of this is to cause the boiling water to flow off the sides, therby *koshering* that part of the pot as well. Make sure the stone, or whatever is used, is large enough to displace enough water to cause it to fall off the sides of pot

Countertops

Countertops made from **granite, stone, quartz, and metals** (some would add: **'smooth wood'**), may be koshered as follows:

- Clean
- Leave in disuse (from touching actual food) for 24 hours
- Fill up a pot with enough water to pour on all countertops. Many pots may need to be used, or, the countertops may be koshered part- by-part with breaks inbetween as one reheats the same pot.
- As the water is **still in a rolling boil,** pour the water over the entire countertop
- For those who are strict to use an *even meluban*, then after the above is performed, one should take a iron and, on full heat and with the tseam button being pressed, run the iron at about a third of an inch off the entire countertop. **One need not follow this last stringency unless directed by his ir her Rav.**

Those with plastic, Formica, porcelain, corian or composite material for their countertops may **not** *kasha,* rather they should cover them with a not-too-thin material for Pesach. It is praiseworthy to cover **all** countertops for Pesach.

Sinks

Follow the same rules for countertops –both in terms of what material may not be *koshered* and regarding how to *kasher.*

NOTE: Make sure to:

- Have the boiling water be poured over and around faucets
- Replace or clean **very well** the drain filter/plug.

It urged however to buy new filter/plugs for Pesach. IN addition, it is praiseworthy to purchase a new spout for Pesach (the 3/10 of an inch screwed in filter from which the water comes out of)

Tables

The Minhag is not to Kasher tables for Pesach.

Cover

Dishwasher

Those with a metal-inner dishwasher (as opposed to the white plastic-like material on the inside) may purchase new racks and *kasher* their dishwasher by letting it sit for 24 hours and having it go through three cycles, the first being with dishwashing soap.

All other dishwashers mustn't be *koshered* for Pesach.

BBQ

Speak to your Rabbi regarding how to *Kasher*

Water Coolers and Keurig Machine

Speak to your Rabbi regarding how/if to *Kasher*

ARTICLES

Some of the Basics of Koshering

By Rabbi Yirmiyohu Kaganoff

Question #1: Sandwich Maker

"Can I *kasher* my sandwich maker for *Pesach* in order to toast vegetables with it?"

Question #2: Better than Boil?

"Is there a way to *kasher* things that is safer than boiling water in an open pot?"

Introduction:

Halachah assumes that when cooking food, taste residue remains in the utensil that was used. When this flavor residue, which is called *ta'am,* is from something prohibited, it must be removed to allow the utensil to be used again to prepare food. When the flavor is from meat, one must extract it before using the utensil for a dairy product,* and, if used for *chometz*, it must be koshered before it can be used for *Pesach-dik* products. (Throughout this article I will use interchangeably as verbs both the Yiddish word *kasher* and the English word kosher.)

Although modern appliances are not mentioned in the Torah, the basic rules for koshering all appliances lie within a careful study of the passages of the Torah, the *Gemara* and the early authorities on this topic. The *Chumash,* itself, alludes to the *halachic* process used to kosher a utensil when it commands, *kol davar asher yavo vo'eish ta'aviru vo'eish, "Any item that entered fire, shall be passed through fire"* (*Bamidbar* 31:23), thereby implying that koshering an appliance that became non-kosher through direct contact with a flame requires burning the appliance in a flame -- no other cleaning process will sufficiently kosher this appliance.

Shabbos Hagadol

One of our responsibilities prior to *Pesach* is to ascertain that we know how to *kasher* our homes correctly. The *piyutim* that were traditionally added to the prayers on this *Shabbos* include very detailed instructions on proper koshering techniques, and we find that the *baalei Tosafos* discuss and correct the texts of the *piyutim* to accommodate the correct procedures. This week's article will provide some introductory information to this topic, as we understand how the *Gemara* explains correct koshering procedures.

Let us begin by examining a passage of the *Gemara* that discusses koshering one's house for *Pesach*. The *Gemara* (*Pesachim* 30b) quotes a *beraisa* (*halachic* source dating from the era of the *Mishnah*) that if beef fat was smeared onto the walls of an oven, *kashering* the oven to be *pareve* again requires firing up the oven, which means building a fire inside the oven. This heating of the oven burns out the residue of the meat fat that absorbed into the oven walls. The *Gemara* then recounts that Ravina noted to Rav Ashi that the earlier *amora*, Rav, had declared that there is no way to *kasher chometz-dik* pots for *Pesach-dik* use. Ravina asked Rav Ashi why this was so: Why not simply fire up the pots to make them *Pesach-dik*, just as one *kashers* an oven?

Rav Ashi provided two answers to the question:

Metal vs. earthenware

(1) The *beraisa* that permits koshering an oven is referring to one made of metal, whereas Rav was discussing pots made of earthenware. Earthenware pots cannot be koshered, because once food flavor absorbed into them, normal procedures will not physically remove the *ta'am* from the vessel. To quote the *Gemara* (*Pesachim* 30b, *Avodah Zarah* 34a), the Torah testified that one will never be able to extract the flavor from the walls of an earthenware vessel.

Ovens vs. pots

(2) Rav Ashi's second answer is that an earthenware *oven* can be koshered by building a fire inside it, but not an earthenware *pot*. Usually, cooking was done by building a fire inside the oven and outside the pot. This fire does not provide enough heat in the pot to remove the flavor (*ta'am*) that absorbed inside it. Furthermore, building a fire *inside* the pot is also not a satisfactory method of koshering it. *Chazal* did not permit this method of *kashering,* because it may not be performed properly -- the owner may be afraid to leave the pot in the heat long enough to kosher it out of concern that it might crack (*Rosh* and *Rabbeinu Chananel* ad locum; cf. *Rashi*, who explains the *Gemara* somewhat differently.) This last concern does not exist regarding an oven, presumably, because this is the usual way of heating it.

Some basic rules

From this short passage of *Gemara*, we can derive some basic rules of koshering:

1. When a concern exists that a particular method of koshering may break an appliance, *Chazal* prohibited using that method. There are many, many instances where this *halachah* is put into practice.

One example of this is our opening question. "Can I *kasher* my sandwich maker for *Pesach* in order to toast vegetables with it?"

Any method that might *kasher* the sandwich maker would very possibly ruin the machine. Therefore, it is not possible to kosher it for *Pesach* use.

2. Earthenware has different properties than do metal items, resulting in differences in halachah. Regarding other items, there is a principle of *kebol'o kach polto*, that one extracts prohibited absorption the same way the flavor absorbed into the appliance. From this passage of *Gemara* we see that there are exceptional cases when this method is insufficient. Materials such as earthenware can absorb substances that will not afterwards be removable. Rather than becoming completely extracted when one *kashers* them afterwards, some of the absorbed taste remains and gradually leaches out afterwards with each use, thus spreading prohibited flavor into all subsequent cooking (*Tosafos, Chullin* 8a *s.v. Shelivna*).

Exception - kiln koshering

Although the above-quoted passage of *Gemara* implies that earthenware pots cannot be koshered, *Tosafos* notes that this rule is not absolute -- there is an acceptable way to kosher them. The *Gemara*

(*Zevachim* 96a) implies that all earthenware vessels, even pots, can be koshered by firing them inside a kiln used for manufacturing earthenware (*Tosafos, Pesachim* 30b *s.v. Hatorah*). The intensity of heat in a kiln, which is far greater than the temperature used when baking or cooking in an earthenware oven, will remove the non-kosher or *chometz-dik* absorption from the walls. Furthermore, we are not afraid that someone will not *kasher* the utensil adequately out of concern that it will crack, because heating in a kiln is consistent on all sides and will not cause the utensils to crack (*Rosh*). It is uneven heating that damages the vessel.

There is an alternative explanation of why there is no concern that the owner will not kasher his pot adequately inside the kiln for fear that it was crack. In this instance, we feel that the owner will allow the pot to remain inside long enough to kosher properly because once the owner has placed the pot inside a kiln, this demonstrates that he has no concern about the pot breaking (*Shulchan Aruch, Orach Chayim* 451:1). This *halachic* conclusion is followed by the *Shulchan Aruch* (*Orach Chayim* 451:1).

Purchase from gentile

We will now examine a different passage of *Gemara* to learn more about the rules of the koshering procedure.

The *Mishnah* (*Avodah Zarah* 75b) teaches that upon purchasing used kitchen equipment from a gentile, one *kashers* the equipment via one of the following procedures:

1) That which is usually used for cooking in liquid medium must be koshered in hot water, which is called *hag'alah.*

2) That which is used to broil or roast food directly in fire must be koshered directly in fire, called *libun*. As examples of the latter rule, the *Mishnah* chooses a barbecue spit and a grate used for roasting. Since these appliances absorbed non-kosher *ta'am* directly through fire, they must be koshered by burning them in fire.

Kebol'o kach polto

From this *Mishnah*, we learn a new rule – that there is a hierarchy in koshering. If an appliance absorbed flavor directly through fire, boiling it will not remove the residues of prohibited substance sufficiently to *kasher* it. This explains in more detail the rule I mentioned above, called *kebol'o kach polto*, which teaches that extracting food residue requires the same method that caused the absorption initially or a method that is more intense, as I will explain shortly. Therefore, if a prohibited food was cooked in a pot, it can be koshered by *hag'alah*, which is a method of boiling out what was absorbed. However, if a spit or rack absorbed prohibited food directly through fire and not through a liquid medium, *hag'alah* will not suffice to kosher it.

Libun* versus *hag'alah

It is axiomatic that a stronger method of koshering will work for vessels requiring a lower level of *koshering* (for items other than earthenware). Thus, a metal pot used to cook non-kosher can be koshered by *libun*, although it is not necessary to use this method.

Iruy, miluy ve'iruy

There are other methods of koshering, such as *iruy,* which means pouring boiling water onto an item or surface, and *miluy ve'iruy*¸ which means submerging an appliance in water for three 24 hours periods. In this article, we will not discuss these methods of koshering.

How long?

At this point, we are ready to go to the next step in understanding how to *kasher* properly. The first question we will explore is germane to koshering directly by fire, which is called *libun*. The question is: How long must the spit or rack be held in a fire for it to be koshered? At what point can we assume that all the prohibited absorption will be removed?

We find two statements of the *Gemara* answering this question, one in the *Talmud Yerushalmi* and the other in the *Talmud Bavli*. The *Talmud Yerushalmi* (end of *Avodah Zarah*) states that one must heat it until sparks begin to shoot off. The *Talmud Bavli* (*Avodah Zarah* 76a) explains that you must keep it in the fire "until you remove the surface." In practice, the *halachah* is that one needs to heat it until sparks shoot off (*Shulchan Aruch, Orach Chayim* 451:4).

Summing up

To sum up: From these two passages of *Gemara*, we have learned three basic rules of koshering:

1. Removing the residue of a prohibited substance from an appliance requires performing on it a procedure that is similar to or stronger than what caused the absorption in the first place.

2. When a concern exists that a particular method of koshering may break an appliance, one may not *kasher* it that way.

3. One cannot *kasher* earthenware items through conventional household methods.

Contradiction

However, a different *Mishnah* seems to dispute one of the principles that what we have just explained. The Torah teaches that there is a mitzvah to eat parts of the *korbanos* offered in the *Beis Hamikdash*, but that there is a time limit within which they may be eaten. After the *korban's* time limit has passed, the leftover meat is called *nosar*, literally, *leftover*, and must be burnt. Eating it after this time violates a serious prohibition of the Torah.

What happens to the equipment used to cook the *korban*? The leftover flavoring remaining in the equipment becomes *nosar* and the equipment must be koshered. This means, essentially, that equipment used to prepare *kodoshim* must constantly be koshered.

How does one *kasher* the equipment? One would think that we would apply the same rules presented by the above-mentioned *Mishnah* in *Avodah Zarah*. However, the *Mishnah* states that a grill used to barbecue a *korban* requires only *hag'alah* (*Zevachim* 97a). You might think that there is a one-size-fits-all approach to koshering – and that *hag'alah* can be used to *kasher* anything, even that which absorbed the food directly via fire. This approach does not fit the rule of *kebol'o kach polto*.

As you can imagine, we are not the first ones to raise this question. The *Gemara* (*Avodah Zarah* 76a) does, and provides several answers. The conclusion of the *Gemara* is that when the prohibited substance was permitted at the time of absorption, a concept that the *Gemara* calls *heteira bala, hag'alah* is sufficient to *kasher* it. The opposite of *heteira bala* is *issura bala*, which means that the food was prohibited at the time that the absorption took place. The *Mishnah* in *Avodah Zarah* discussing used equipment purchased from a gentile is teaching the laws regarding *issura bala*.

Heteira bala

Why does *heteira bala* create a basis to be more lenient?

Some explain this phenomenon as follows: When prohibited substance is absorbed through a medium, such as by cooking in water, *hag'alah*, boiling out the non-kosher vessel, will remove all of the prohibited substance. However, when the substance absorbed directly by fire, boiling it will not remove *all* of the prohibited substance. Nevertheless, it does remove *most* of the substance. When the vessel initially cooked non-kosher, non-kosher food absorbed into it and must be fully removed. But when the absorbed substance was kosher at the time that it absorbed, the residue left over after the pot was boiled is not enough to be considered non-kosher.

Kashering* from *fleishig

The *Gemara* mentions the concept of *heteira bala* relative to the absorption of permitted *kodoshim*, which will later become prohibited *nosar*. It is obvious that if one has equipment that absorbed *fleishig* residues and one wants to make it pareve, this is a case of *heteira bala* and will require only *hag'alah*. Here is an actual example:

In a food service operation, some *pareve* baking trays had mistakenly been used to bake chicken. Assuming that the chicken was placed directly onto the trays, one might think that *kashering* these trays would require *libun*, since the absorption was direct from the meat into the tray, without any liquid medium. However, because of the principle of *heteira bala*, only *hag'alah* was required.

Is *chometz* considered *heteira bala*?

Since *chometz* is permitted to be eaten anytime but *Pesach*, it would seem that *chometz* should be considered *heteira bala*. This would mean that koshering *chometz* equipment for *Pesach* use would never require more than *hag'alah*. However, we find that there is a dispute among *halachic* authorities whether *chometz* is considered *heteira bala* or *issura bala*. Those who follow the stringent approach rule that at the time of its use, *chometz* is what absorbed into the walls of the pot, and *chometz* may not be used on *Pesach*. The concept of *heteira bala* is applicable, in their opinion, to *kodoshim* products since, at the time that the grills were used, they were not *nosar*. They could not become *nosar* afterwards since only a small remnant was left after the *hag'alah,* and that small amount cannot be called *nosar.*

Whether *chometz* is considered *heteira bala* or not is very germane in practical *halachic* terms. If it is considered *heteira bala*, then *hag'alah* will suffice to *kasher* all items for *Pesach*, and one is never required to kosher items with *libun* to make them *Pesach -dik*.

How do we rule?

Both the *Shulchan Aruch* and the *Rema* (451:4) conclude that *chometz* is considered *issura bala*. Therefore, one cannot kosher a grill used for *chometz* through *hag'alah*, but it requires *libun*. However, in case of major financial loss (*hefsed merubeh*), one may rely on the opinion that *chometz* is *heteira bala* (*Mishnah Berurah* 451:32, citing *Elya Rabbah* and *Gra*).

Libun kal

So far we have discussed koshering through *libun*, by means of a high temperature of direct fire. We have also discussed *hag'alah*, which is koshering through boiling in water. The *rishonim* discuss an in-between method of koshering, which is called *libun kal*, easier *libun*. *Libun kal* also uses direct heat to *kasher*, but it does not reach as high a temperature as does the *libun* we have been referring to until now, which is sometimes called *libun chamur*, strict *libun*, to avoid confusion. *Libun kal* is defined as heating metal hot enough that one sees that the heat has permeated through the metal fully (*Mordechai, Avodah Zarah*, end of 860). An alternative definition is that it is hot enough to burn straw. The *poskim* rule that when *hag'alah* would be sufficient to *kasher*, one may use *libun kal* as an alternative, but that it should not be used when there is a requirement to *kasher* via *libun chamur* (*Mordechai, Avodah Zarah*, end of 860).

How hot is *libun kal*?

At what temperature does straw burn? Based on experiments that he himself conducted, Rav Yisroel Belsky concluded that this is accomplished by a combination of temperature and time. His conclusion was that an oven heated to 550° F takes an hour to burn paper, at 450° it takes 1½ hours and at 375° it takes 2 hours. Thus, koshering with *libun kal* would require a longer amount of time at lower temperatures. We can thus answer another of our opening questions:

"Is there a way to *kasher* things that is safer than boiling water in an open pot?"

The answer is that since *libun kal* can be used whenever *hag'alah* suffices, one could *kasher* any items that require *hag'alah* by *libun kal* in a household oven, if one keeps the item in the oven long enough.

Conclusion

This article has provided a small introduction to some of the ideas of koshering, particularly to the concepts of *libun* and *hag'alah*. We have not yet dealt with several other types of koshering, including *iruy, kli rishon*, and *miluy ve'iruy*, all of which we will need to leave for a future time. We should always hope and pray that the food we prepare fulfills all the *halachos* that the Torah commands us.

* There is discussion among the *halachic* authorities whether one may *kasher* an appliance that is *fleishig* to use with dairy and vice versa. We will leave the discussion of that topic for a different time.

Must I Toivel this?

By Rabbi Yirmiyohu Kaganoff

Question #1: The Vanilla Cruet

"We received a gift of a glass cruet, a salad oil dispenser, that we doubt we will ever use for that purpose. We decided, instead, to use it is a flower vase and were told that we do not need to *toivel* it. Subsequently, we decided that we might use it to make our own natural vanilla extract by soaking vanilla beans and alcohol. Do we need to *toivel* it?"

Question #2: Restaurant Silverware

"I have always assumed that caterers and restaurants *toivel* their silverware and glasses. Recently, I was told that some *hechsherim* do not require this. Is this true? Am I permitted to use their silverware and glasses?"

Question #3: The Salami Slicer

"I have a knife that I use for my work, which is not food related. May I occasionally slice a salami with the knife which I have never immersed in a *mikveh*?"

Question #4:

"May I use my new steak knife to open a box before I have immersed it?"

Answer:

After the *Bnei Yisroel*'s miraculous victory over the nation of Midyan, they were commanded regarding the booty that they had now acquired: *Concerning the gold and the silver; the copper, the iron, the tin and the lead: any item that was used in fire needs to be placed in fire to become pure – yet, it must also be purified in mikveh water. And that which was not used in fire must pass through water* (*Bamidbar* 31:22-23). From these verses, our Sages derive the mitzvah of *tevilas keilim* -- the requirement to immerse metal implements to be used for food in a spring or kosher *mikveh* prior to use. According to the *Talmud Yerushalmi* (*Avodah Zarah* 5:15), the reason for this requirement is because the utensil has now been elevated to the sanctity of Jewish ownership, and the immersion is similar to the requirement that a gentile who converts to Judaism must submerge in a *mikveh* (*Issur Vaheter* 58:76; see also *Ritva, Avodah Zarah* 75b).

The *Gemara* (*Avodah Zarah* 75b) rules that in addition to metal items, we are also required to immerse glass utensils, because both metal and glass share a similarity – they are recyclable – meaning that when they break, one can melt or weld the broken parts to create new pieces or to repair old ones. As a matter of fact, in the time of the *Gemara*, people kept broken pieces of metal and brought them to the blacksmith when they needed to manufacture new items (see *Shabbos* 123a). It is also interesting to note that this function is the basis of the Hebrew word for metal, *mateches,* which means *meltable* or

dissolvable (see *Yechezkel* 22:22; *Rashi, Shemos* 9:33). In this characteristic, metalware and glassware are different from items made of stone, wood or earthenware, which cannot be recycled in this manner.

Prior to dipping the metalware or glassware, one recites a *brocha*, *Asher ki'deshanu bemitzvosav vetzivanu al tevilas keilim.* As we will soon see, this *brocha* is recited only when there is a definite requirement to *toivel* (immerse) this item.

Used without Immersing

If, in violation of the Law, someone used an item that was not immersed, may one eat the food that came in contact with it? According to many authorities, this is the subject of a dispute between two opinions in the *Gemara*. Some early authorities (*Baal Halachos Gedolos,* Chapter 55; *Or Zarua, Piskei Avodah Zarah* #293) conclude that, indeed, this food is prohibited. However, the consensus of halachic authority is that it is permitted to eat food that was prepared using non-*toivel*ed equipment (*Tosafos, Avodah Zarah* 75b *s.v. Vechulan; Ritva, ad locum*; *Rema, Yoreh Deah* 120:16). This is useful information when visiting someone who, unfortunately, does not perform the mitzvah of *tevilas keilim*. Although one may not eat or drink food by using un*toivel*ed utensils, the food prepared in them remains kosher. According to most authorities, if the food is served in non-*toivel*ed utensils, one should transfer it to utensils that do not requite immersion or were properly immersed.

The *halachah* is that when I know that someone will use unimmersed pots and other equipment, I may not ask him to cook for me, since I am causing him or her to violate the Torah (*lifnei iveir*).

A *matir* or a *takkanah*?

Why is it forbidden to use a utensil that has not been *toivel*ed? I am going to present two different ways to understand this *halachah*.

A *matir*

The first approach explains that *min HaTorah* one may not use a utensil that has not been immersed, similar to the *halachah* that one may not eat meat without first *shecht*ing the animal. This logic holds that when the Torah created the mitzvah of *tevilas keilim*, it prohibited use of any food utensils that require immersion, and the immersing is what permits me to use the utensils. I will refer to this approach as holding that *tevilas keilim* is a *matir.*

A *takkanah*

Alternatively, one can explain that although the requirement to immerse food utensils is *min HaTorah*, the prohibition to use unimmersed utensils is a *takkanah*, a rabbinic prohibition. The reason for this prohibition is to encourage people to immerse the utensils in a timely fashion. *Chazal* were concerned that if one may use the utensils without immersing them, people will postpone indefinitely fulfilling the mitzvah.

This second approach appears to be how the *Mishnah Berurah* understood this mitzvah since he states that although most authorities contend that the mitzvah to immerse utensils is *min HaTorah*, the

prohibition to use them if they were not immersed is only rabbinic (*Biur Halachah* 323:7 *s.v. Mutar*). This exact idea is expressed by Rav Shlomoh Zalman Auerbach (*Minchas Shlomoh* 2:66:13, 14).

Notwithstanding the *Mishnah Berurah*'s understanding of this mitzvah, the *Or Zarua*, a *rishon,* writes that the prohibition to use unimmersed equipment is *min HaTorah* (*Or Zarua, Piskei Avodah Zarah* #293; A careful reading of *Shaagas Aryeh* #56 will demonstrate that he was of the same opinion.) This implies that the mitzvah is indeed a *matir*: its purpose is to permit the use of the utensil. If not, where do we have any evidence that the Torah prohibited use of an unimmersed vessel?

Rushing to Immerse

Is there a halachic requirement to immerse a utensil as soon as I purchase it, or may I wait for a convenient time to immerse it, as long as I do not use the utensil in the interim?

We find a dispute among the *poskim* concerning this. Some rule that there is no requirement to immerse a utensil as soon as possible (*Levush*, as explained by *Pri Megadim, Mishbetzos Zahav, Orach Chayim* 323:5), whereas the *Maharshal* (*Yam shel Shelomoh, Beitzah* 2:19) explains that this question is dependent on a dispute in the *Gemara* (*Beitzah* 17b-18a). The *Maharshal* concludes that one is required to immerse the utensil as soon as possible, out of concern that one will mistakenly use it before it was immersed. The latter ruling is quoted by other authorities (*Elyah Rabbah* 323:12).

Better to Borrow?

The *Gemara* (*Avodah Zarah* 75b) explains that the mitzvah of *tevilas keilim* does not apply to utensils that a Jew borrowed or rented from a non-Jew (*Shulchan Aruch, Yoreh Deah* 120:8). The Torah taught that utensils that a Jew **acquires** require immersing, but not items that are not owned by a Jew. Furthermore, whether a utensil requires immersion is determined by who its owner is and not by the person one who is merely using it. We will soon see another ramification of this ruling.

The *poskim* rule that, under circumstances when one cannot immerse utensils, one may transfer ownership of a utensil from a Jew to a non-Jew to avoid immersing it. Therefore, should a Jew own a utensil and have nowhere to immerse it, or if he does not have time before *Shabbos* or *Yom Tov* to immerse it, he may give it to a gentile, thus voiding the requirement to immerse it, and then borrow it back from the gentile (*Mordechai, Beitzah* #677; *Shulchan Aruch* and *Rema, Yoreh Deah* 120:16). Since the utensil is now owned by a gentile, there is no requirement to immerse it. Consequently, borrowing it from the gentile does not present any problem.

This ruling applies only to utensils that are owned by a **gentile** and borrowed from him by a Jew. Since the utensil is owned by a gentile, there is no requirement to immerse it. However, if a **Jew** owns a utensil that he has not immersed, another Jew may not borrow or use it without immersing it (*Tosafos* and *Rosh* ad loc., both quoting *Rashbam*). Once the owner is required to immerse the utensil, no other Jew may use it without immersing it first.

Only *Klei seudah*

The *Gemara* concludes that the mitzvah of *tevilas keilim* applies only to *klei seudah* -- literally, implements used for a meal. This includes items used to prepare food or to eat. As we will soon discuss, there are some interesting ramifications of this law.

"Rav Nachman said in the name of Rabbah bar Avuha: 'One can derive from the verse that one must immerse even brand new items, because used vessels that were purged in fire have the same *kashrus* status as brand-new, and yet they require immersion.'

Rav Sheishes then asked him: 'If it is true that the mitzvah of immersing vessels is not because of *kashrus* concerns, then maybe one is required to immerse even clothing shears?'

Rav Nachman responded: 'The Torah mentions only vessels that are used for meals (*klei seudah*)'" (*Avodah Zarah* 75b).

Rav Sheishes suggested that if the immersion of utensils is not a means of *kasher*ing a non-kosher vessel, then perhaps we have many more opportunities to fulfill this mitzvah, and it applies to any type of paraphernalia -- even cameras, cellphones and clothing shears! However, the conclusion is that the mitzvah is limited to items used for food.

Kitchen or Leather?

Reuven is a leather worker who purchases a brand-new kitchen knife that he intends to use exclusively for this leather work. Does this knife require immersion in a *mikveh*?

Although this utensil was manufactured for food use, since Reuven is now the owner and he purchased it for leather-working, it is no longer a food utensil.

The early authorities dispute whether someone who borrows the knife from the owner to use it for food is required to immerse it. The primary position contends that the borrower is not required to immerse the knife (*Hagahos Ashri, Avodah Zarah,* 5:35; *Shulchan Aruch, Yoreh Deah* 120:8). This approach understands that the halachic status of a utensil is determined by its owner and not by someone borrowing it. There is, however, a dissenting opinion that contends that since the owner himself would not be allowed to use the knife for food use, even temporarily, someone else may not either (*Issur Vaheter* 58:89, quoted by *Shach, Yoreh Deah* 120:16). Thus, the latter approach requires that the borrower immerse this knife before using it for food. As a compromise position, some authorities conclude that one should immerse this utensil but should not recite a *brocha* before doing so (*Shach, Yoreh Deah* 120:16).

However…

All this holds true as long as the owner, our leather worker, uses the knife exclusively for non-food use. However, the owner may not use it for food, even temporarily (*Rema, Yoreh Deah* 120:8). Furthermore, later authorities note that the *Shach* implies that should Reuven decide to use the knife for food, albeit only once, he may not use the knife **even for non-food use** without first immersing it (*Darchei Teshuvah* 120:39*,* quoting *Ginzei Elimelech*; *Sefer Tevilas keilim,* page 104, quoting *Pri Eliyahu*).

We see from this *Shach* a very interesting ruling. The *halachah* is not that food use requires that the vessel be immersed. The *halachah* is that a food-use utensil must be immersed before use – no matter what type of use.

This last ruling means that someone who purchased a knife that he intends to immerse, may not use it even to open a package before it has been immersed.

We can therefore answer one of our opening questions:

“May I use my new steak knife to open a box before I have immersed it?”

Although many people may find this ruling to be surprising, according to the *Shach,* you may not.

The Vanilla Cruet

At this point, I would like to discuss one of our opening questions, an actual *shaylah* that I was asked recently: “We received a gift of a glass oil dispenser that we doubt we will ever use for that purpose. We decided, instead, to use it is a flower vase and were told that it does not require *tevilah*. Subsequently, we decided to use it to make vanilla extract by soaking vanilla beans and alcohol. Do we need to *toivel* it?”

This is an interesting question. I agree that if someone receives a vessel that is usually *klei seudah*, but one does not intend to use it for this purpose, that there is no requirement to immerse it. Subsequently, the individual decided that he might use the cruet to process vanilla flavor, a use that would require immersing. (It should be noted that there are authorities who rule that this use should not require a *brocha* when immersing the cruet.) According to the *Shach*, once they decide to use the cruet for making vanilla flavor, not only do they now need to immerse it, but they can no longer use it for anything else. This is because a cruet is inherently a vessel that should require immersion. The only reason they were not required to immerse it until now was because they had decided not to use it for food. But once they decided to use it for food, they may not use it for anything without immersing it.

The Salami Knife

We can also now address a different question that was asked above: “I have a knife that I use for my work, which is not food related. May I occasionally slice a salami with the knife which I have never immersed in a *mikveh*?”

The answer is that if this is a knife that was made for food use, one would not be allowed to use it for food without immersing it. On the other hand, if it is a box cutter, which is clearly not meant for food use, we have no evidence that one is required to immerse it. There are sources in *halachah* that state that an item that is not meant as *klei seudah* may be used occasionally for food, even by the owner, without requiring *tevilah* (see, for example, *Darchei Teshuvah* 120:70, 88).

***Klei Sechorah* -- "Merchandise"**

The halachic authorities note that a storekeeper does not *toivel* vessels he is planning to sell, since for him they are not *klei seudah*, but merchandise. Later authorities therefore coined a term "*klei sechorah*," utensils used as merchandise, ruling that these items do not require immersion until they are purchased by the person intending to use them (based on *Taz, Yoreh Deah* 120:10).

In the nineteenth century, a question was raised concerning the definition of *klei sechorah*. When rail travel became commonplace, enterprising entrepreneurs began selling refreshments at train stations.

(No club car on those trains!) A common occurrence was that Jewish vendors would sell beer or other beverages at the stations, which they would serve to their customers by the glassful. The question was now raised as to whether these glasses required immersion and whether one was permitted to drink from them when the vendor presumably had not immersed them. Although it would seem that one may not use them without *tevilah*, there are authorities who rule that these vessels are considered *klei sechorah* for the merchant and that, therefore, the customer may use them (*Darchei Teshuvah* 120:70, 88; *Shu"t Minchas Yitzchak* #1:44). According to this approach, a restaurant or a caterer is not required to immerse the utensils with which he serves his guests. Although most authorities reject this approach (*Minchas Shlomoh* 2:66:14), I have found many places where, based on this *heter*, *hechsherim* do not require the owner to *toivel* his glassware, flatware and other items. I'll leave it to our readers to seek guidance from each individual's *rav* or *posek* what to do when faced with this situation.

Conclusion

According to Rav Hirsch, metal vessels, which require mankind's mining, extracting and processing, represent man's mastery over the earth and its materials. Whereas vessels made of earthenware or wood only involve man shaping the world's materials to fit his needs, the manufacture of metal demonstrates man's creative abilities to utilize natural mineral resources to fashion matter into a usable form. Consuming food, on the other hand, serves man's most basic physical nature. Use of metal food vessels then represents the intellectual aspect of man serving his physical self, which, in a sense, is the opposite of why we were created, which is to use our physical self to assist our intellect to do *Hashem*'s will. Specifically in this instance, the Torah requires that the items hereby produced be immersed in a *mikveh* before we use them to endow them with increased *kedusha* before they are put to food use. This demonstrates that although one may use one's intellect for physical purposes, when doing so one must first sanctify the item to focus on the spiritual.

Which Utensils Must I Immerse?

By Rabbi Yirmiyohu Kaganoff

Question #1: With Cookie Cutter Precision!

Rivkah Baker* asks:

"Do I need to toivel the cookie cutter I just purchased?"

Question #2: Butch's Cleaver

Butch Katzav, the proprietor of the local glatt kosher meat market, inquires: "Under my previous *hechsher*, I was told that I did not need to toivel my meat cleavers, since they are used only for raw meat. However, my new *rav hamachshir* requires me to toivel them. Why is there a difference?"

Question #3: A Sweet Saga

Avraham Sweet, the proprietor of *Candy Andy,* wants to know.

"I have a gift business in which I sell candy dishes with candies, fruits, and nuts already in glass dishes. Must I *toivel* these dishes before I fill them?"

Introduction:

In *Parshas Matos* the Torah teaches: *Only the gold and the silver; the copper, the iron, the tin and the lead: any item that was used in fire needs to be placed in fire to become pure* [meaning "kosher"] *yet it must also be purified in mikveh water. And that which was not used in fire must pass through water"* (*Bamidbar* 31:22-23). From these verses we derive the mitzvah of tevilas keilim -- The mitzvah to immerse metal implements in a kosher mikveh or spring prior to using them for food. The *Gemara* (*Avodah Zarah* 75b) notes that this immersion is required even if the vessel has never been used. In other words, this mitzvah is unrelated to the requirement of koshering equipment that was used to prepare non-kosher food and to the laws related to purifying implements that became *tamei*.

The *Gemara* (*Avodah Zarah* 75b) further states that in addition to metal appliances intended for food use, we are always required to immerse glass utensils, because both metal and glass share a similarity – they are repairable by melting and reconstructing. This renders them different from vessels made of stone, bone, wood or earthenware, all of which cannot be repaired this way.

Immediately prior to immersing something that is definitely obligated in *tevilah*, one recites a beracha *Asher kideshanu bemitzvosav vetzivanu al tevilas keilim*. One does not recite this beracha when it is uncertain that immersion is required, such as, when the authorities dispute whether the item requires *tevilah*. When there is no mitzvah to immerse a utensil, reciting a *beracha* is *levatalah*, in vain, and prohibited. Therefore, when we are uncertain that an item requires *tevilah* we immerse it -- but without reciting a beracha. A better solution is to immerse an appliance that definitely requires a *beracha* at the same time that one immerses the "questionable" item. We will soon see an example.

Is this a Kashrus law?

The *Gemara* cites a dialogue about the mitzvah of immersing new vessels that is highly instructive:

> "Rav Nachman said in the name of Rabbah bar Avuha: 'One can derive from the verse that one must immerse even brand new items, because used vessels that were purged in fire have the same *kashrus* status as brand-new, and yet they require immersion.'
>
> Rav Sheishes then asked him: 'If it is true that the mitzvah of immersing vessels is not because of kashrus concerns, then maybe one is required to immerse even clothing shears?'
>
> Rav Nachman responded: 'The Torah only mentions vessels that are used for meals (*klei seudah*)'" (*Avodah Zarah* 75b).

Rav Sheishes suggested that if the immersion of utensils is not a means of kosherizing a non-kosher vessel, then perhaps we have many more opportunities to fulfill this mitzvah, and it applies to any type of paraphernalia -- even cameras, cellphones and clothing shears!

To this, Rav Nachman retorted that the Torah only includes items used for *klei seudah* -- literally, implements used for a meal. Thus, the mitzvah of *tevilas keilim* applies only to utensils used for preparing food, and not those intended for other purposes.

Klei Seudah – Appliances used for Meals

However, I want to note that Rav Nachman did not say that *all* food preparation utensils require immersion, but only required immersion of *klei seudah,* appliances used for *meals*. This detail affects many halachos of the laws of tevilas keilim. But, alas, what exactly are considered *klei seudah*, and how is this different from simply saying that all food implements must be immersed?

Early halacha authorities provide some direction about this issue. For example, the *Mordechai* (=, quoted by *Beis Yosef, Yoreh Deah* 120) rules that a shechitah knife does not require immersion. Why not? After all, it is used to prepare food.

The answer is that since meat cannot be eaten immediately after shechitah, this knife does not qualify as *klei seudah.* Only utensils that prepare food to the point that they can be eaten are called *klei seudah.* This is the approach that the *Shulchan Aruch* follows (*Yoreh Deah* 120:5).

Making a Point!

According to this approach, cleavers used for raw meat, tenderizers (mallets used to pound raw meat), and *reidels*, the implements used to perforate matzoh dough prior to baking, would all not require *tevilah* since the meat or dough is not edible when these implements complete their task (*Darkei Moshe,* 120:4, quoting *Issur VaHeter*).

With Cookie Cutting Precision!=

Most of our readers probably do not regularly use shechitah knives or reidels, but may have more experience with cookie cutters. A cookie cutter is used for food, but the food cannot be eaten when one finishes using the cutter until the dough is baked. Must one toivel a cookie cutter? This would help us answer Rivkah Baker's opening question: "Do I need to toivel the cookie cutter I just purchased?"

Indeed, according to the conclusion of the Mordechai and the Shulchan Aruch, Rivkah may impress with her cutters without first immersing them.

However, answering Rivkah, we must first examine whether this is the accepted halachic conclusion. Indeed, the same *Darkei Moshe* who ruled that reidels do not require *tevilah*, quoted that both the *Rash* and the *Tashbeitz*, two prominent early authorities, toiveled shechitah knives before allowing their use. Why did the *Rash* and the *Tashbeitz* toivel their shechitah knives? Did they contend that any implement used to process food at any stage requires *tevilah*? If so, would they also require immersing *reidels* and cookie cutters?

We find a dispute among halachic authorities how to explain the opinion of the Rash and the Tashbeitz. According to the *Taz* (120:7) and the Gr"a (120:14), the Rash and the Tashbeitz indeed require immersing appliances whose finished product is not yet edible. In their opinion, the Rash and the Tashbeitz require the toiveling of *reidels* and presumably also cookie cutters. Since the matter is disputed – the Mordechai contending that these items do not require *tevilah*, and the Rash and the Tashbeitz requiring *tevilah*, the Taz and the Gr"a rule that we should follow a compromise position, immersing shechitah knife and reidels before use, but without reciting a beracha, because maybe there is no requirement to immerse them and the beracha will be in vain. The same will be true with cookie cutters.

What is the Difference between a Reidel and a Knife?

On the other hand, the Shach (11) disputes this approach and explains the Rash and the Tashbeitz differently. He contends that although the Rash and the Tashbeitz rule that one must toivel a shechitah knife, they would not require the immersion of a reidel before use. A shechitah knife must be toiveled because it can potentially be used for food that is ready to be eaten. The Shach concludes that an implement that can *only* be used for items not yet edible, does not require immersion, and therefore a reidel does not require *tevilah*.

Precisely Examining a Cookie Cutter

Now let us examine Rivkah's cookie cutter. Does it need to be immersed before use?

The answer is that it is dependent on the above-quoted dispute between the Gr"a and the Shach. According to the Gr"a, those early authorities who require the toiveling of a shechitah knife contend that any food implement must be toiveled. Since we usually require toiveling shechitah knives, we must also toivel both reidels and cookie cutters, although we would toivel all of these items without a beracha *(*see *Pri Megadim, Orach Chayim* 451:6).

However, according to the Shach, there is a big difference between a shechitah knife, which can be used to cut ready-to-eat foods, and a reidel or cookie cutter, which can be used only for food that is not ready to eat. Since reidels and cookie cutters are never used for ready-to-eat food, they do not require *tevilah*. *cookie cutters can cut shapes in bread, jelllo watermelon etc.*!!!!

The Shach bases this approach on the *Rama* (*Yoreh Deah* 120:5), who rules that a shechitah knife should be toiveled without a beracha, yet rules that a reidel does not require *tevilah*. Are these two positions not contradictory? The Shach explains that a shechitah knife could be used to cut food that is ready to eat, and therefore requires *tevilah* even though one probably will not use it for this purpose. This, he explains, is different from a reidel, which has no use for ready made food.

Major Improvements

There is yet a third approach to this issue. Some other authorities present a different approach to explain why the =Rama required immersing shechitah knives but did not require immersing reidels. They explain that an item used for a major tikun, or change in the food, such as shechitah, requires *tevilah* even if the food is not edible when this step is complete. However, an item that performs only a minor tikun, such as the reidel, does not require immersion if the food is not yet edible (*Pri Chodosh*= and *Aruch Hashulchan*). In their opinion, the potential use of the shechitah knife is not what requires the *tevilah*. It is the fact that the shechitah performed with this knife is a major stage in making the finished product, the meat, edible. According to this approach, a cookie cutter would also not require *tevilah* since its role is not nearly as significant in the food preparation as is that of the shechitah knife. Those who follow this approach would rule that Rivkah need not toivel her cookie cutter, whereas the Gr"a and the =Taz would rule that she should. *I don't recall the taz before.

The Saga of Butch's Cleaver

We can now address Butch Katzav's question:

"Under my previous hechsher, I was told that I did not need to toivel my meat cleavers, but my new *rav hamachshir* requires it. Why is there a difference?"

In true Jewish style, let us answer Butch's question with a question. Is a cleaver like a shechitah knife or like a cookie cutter?

In certain ways a cleaver is like a knife in that it can be used both for raw meat and for cooked, ready to eat food. On the other hand, it is unlike a shechitah knife which makes the meat kosher and edible, and in this way the cleaver is more similar to a cookie cutter or a reidel that it performs a minor function.

Now we can answer Butch's question. The previous *hechsher* may have ruled like the *Pri Chodosh* and the *Aruch Hashulchan* that an item used for a minor change does not require *tevilah* unless it is used with edible food. The current *rav hamachshir* may follow the opinion of the Shach that an item, such as a knife or cleaver, requires *tevilah* when used for food that is not yet edible since it could be used for ready-to-eat food. It is also possible that the current *rav* follows the opinion of the Gra and Taz that any food implement requires *tevilah* without a beracha, and would require that even a reidel or cookie cutter be immersed.

Grates and Grills

The Rishonim rule that a tripod, equivalent in purpose to our stove grates, does not require *tevilah*, since food does not touch it, whereas one is required to toivel a grill since one places food directly on it (*Semaq,* quoted by *Beis Yosef*). Therefore one is not required to immerse blechs, hotplates, knife sharpeners, trivets, can openers and corkscrews since these items are not intended to touch food (see *Yoreh Deah* 120:4), but one is required to toivel griddles, peelers, funnels, strainers, salt shakers, pepper mills and tongs since they all touch food.

Should one recite a beracha prior to immersing a grater? Many of the items that one grates, such as potatoes, are not usually eaten immediately after grating them without first cooking them. On the other hand, there are items, such as carrots, that are ready to eat immediately after grating, and therefore the

halacha is that one should recite a *beracha* prior to immersing graters (*Pri Megadim, Mishbetzos Zahav* 451:6, quoted by *Pischei Teshuvah, Yoreh Deah* 120:7).

What about storage vessels?

Is one required to immerse a metal container or glass jar used to store foodstuffs, but that is not suitable for preparing or consuming food?

Rabbi Akiva Eiger (on 120:1, quoting *Keneses Hagedolah* [*Beis Yosef* 18]) discusses whether storage vessels require *tevilah*, and concludes that it is unclear whether they should be immersed. Therefore one should immerse them without reciting a *beracha* before, because in case there is no mitzvah to immerse them.

***Klei Sechorah* -- "Merchandise"**

I noted earlier that the *Gemara* did not say that *all* food preparation utensils require immersion, but only required immersion of *klei seudah,* appliances used for *meals*. The halachic authorities note that a storekeeper does not *toivel* vessels he is planning to sell, since for him they are not *klei seudah*, utensils the he intends to prepare food with or eat with, but items he intends to sell. Later authorities therefore coined a term "*klei sechorah*," utensils used as merchandise, ruling that these items do not require immersion until they are purchased by the person intending to use them (based on *Taz, Yoreh Deah* 120:10). Furthermore, several halachic authorities contend that the storekeeper cannot immerse the vessels prior to sale since there is as yet no requirement to immerse them (*Shu"t Minchas Yitzchak* 8:70). This is based on a comment of the *Rama* which implies that *tevilah* performed before one is obligated to immerse a utensil, such as while it is still owned by the gentile, does not fulfill the mitzvah and must be repeated after the utensil becomes the property of a Jew (*Rama* 9). Thus, reciting a beracha on this too-early *tevilah* would be a beracha levatalah.

Based on this discussion, we can now address one of our above-mentioned questions:

"I have a gift business in which I sell candy dishes with candies, fruits, and nuts already in the glass dishes. Must I *toivel* these dishes before I fill them?"

This question is a modification of a situation in which I was once involved. We received a glass candy bowl as a gift from someone with a note that the proprietor had already *toiveled* the bowl. I called the owner of the business to inform him that, in my opinion, not only is he not required to *toivel* the dish, but I suspect that the *tevilah* is premature and therefore does not help. My reasoning is that although the proprietor fills his dishes with nuts and candies, from his perspective this is still merchandise that he is selling. The dish therefore qualifies as *klei sechorah* which one need not immerse, and therefore immersing them does not fulfill the mitzvah. As a result, not only is the proprietor not obligated to immerse the dishes, but doing so fulfills no mitzvah, and it is a *beracha levatalah* for him to recite a *beracha* on this *tevilah*. Including a note that the dish was *toiveled* is detrimental, since the recipient will assume that he has no requirement to *toivel* this dish, whereas in fact the end-user is required to immerse it. For these reasons, I felt it incumbent on myself to bring this to the attention of the owner of the business.

The proprietor was very appreciative. He told me that in truth it was a big hassle for him to *toivel* the dishes, but he had been assuming that halacha required him to do so before he could fill the dishes.

Shortly after writing these words, I received the following *shaylah*:

> "I wanted to ask you one thing about a *kli* which you are gifting to someone, even if you are not a *socher*. When we studied the topic, we concluded that even if I purchase a utensil that requires *tevilah*, but I am planning on giving it to someone, it does not have a *chiyuv tevilah* until it reaches the recipient's hands. Only then does it become *kli seudah*. This would also apply, for example, if someone gave a shalach manos bowl filled with candy, etc; the utensil wouldn't require tevilah until the person receives it. What do you think?"

To which I answered:

> "It seems to me that since one is purchasing the item for someone's personal use, and not to sell, that it should have a *chiyuv tevilah* at this point."

And then I received the following response:

> "Who says that the recipient is going to use the utensil at his table? Indeed, I had the very same shaylah tonight. My wife took a small receptacle that was holding a plant, filled it up with nuts and dried fruit, and brought it to a woman who just gave birth. Who said she will use it afterwards for food? Maybe it will be a candleholder, a decorative piece, etc. It doesn´t become *kli seudah* until she decides what she will use it for."

The point the correspondent is making is that it may indeed be that this item will never be a food utensil, and therefore never be required to be immersed. Only the end user determines whether the item is indeed a food utensil, and therefore until he decides what to do with it, there is no requirement to immerse it.

*All names have been changed to protect the confidence of the individuals involved.

Where do I Toivel my Keilim?

By Rabbi Yirmiyohu Kaganoff

Question #1: Gently in the stream

"Where I live, there is no *mikveh* that can be used for immersing new cutlery. May I dip them in a local stream?"

Question #2: Make my own *mikveh*

"Alternatively, how difficult is it to make my own *keilim mikveh*?"

Question #3: Tap water *mikveh*

"If I make my own *mikveh*, may I use regular tap water exclusively?"

Background:

Metal and glass food implements that were previously owned by a gentile must be immersed in a spring or a *mikveh* prior to using them (*Avodah Zarah* 75b). I have written articles in the past on many of the *halachos* of this mitzvah. However, I have never written on the questions pertaining to *where* one may immerse these implements, so that will be the topic of this article. As always, the discussion here is not intended to provide final *halachic* guidance – that is for one's *rav* or *posek*. The purpose of this article is to provide *halachic* background.

In many communities, a local *keilim mikveh* exists that was built under rabbinic supervision to expedite observance of this mitzvah. However, not all communities have such a facility, forcing people to seek alternative arrangements. Also, at times a person is traveling and needs to immerse some items that he has just acquired to use on the trip. May one use a nearby stream for this purpose? This is one of the questions that we will be addressing in this article.

Introduction:

The Torah described many different types of *tumah* (spiritual contamination), each with its own highly detailed laws. Although people or items contaminated by some of the more severe types of *tumah*, such as *tumas meis* or *tzaraas*, require other steps prior to immersion to become *tahor* (spiritually clean) again, the common denominator to remove all types of *tumah* is the requirement to immerse them in water. This means submerging the entire *tamei* person or item at one time, either in a spring or in a *mikveh*. (As we will see shortly, one category of *tamei* person, a *zav*, can become *tahor only* by immersion in a spring of drinkable water, not in a *mikveh*, nor in a spring whose water is not potable.)

Conversion and *tevilas keilim*

In addition to purification of the laws of *tumah*, there are two other instances that require immersion in order to create *sanctity*. Someone converting to Judaism completes the process by immersing in a spring or *mikveh*. Similarly, a metal or glass food utensil previously owned by a gentile requires immersion

when it is acquired by someone Jewish (see *Talmud Yerushalmi*, *Avodah Zarah* 5:15; *Issur Vaheter* 58:76; *Ritva, Avodah Zarah* 75b).

Ma'ayan* versus *mikveh

There are two types of water that can be used for these required ablutions. One is a natural spring that runs from underground, which is called a *ma'ayan* in Hebrew. The other type is a *mikveh* consisting of rainwater.

There are several *halachic* differences between a *ma'ayan* and a *mikveh*. As I mentioned before, although the immersion for virtually all types of *tumah* may be performed either in a *mikveh* or in a spring, the Torah specifies that one type of *tumah*, *zav*, becomes *tahor* only via immersion in a spring consisting of potable water (*Mikva'os* 1:8). There are two other *halachos* where use of drinkable spring water is essential. The ashes of a *parah adumah* must be mixed into spring water for its purification to be valid, and the purification ritual utilizing two birds that the *metzora* must undergo requires use of spring water. In both of the latter instances, a small amount of spring water is drawn into a vessel to facilitate the procedure.

For the purposes of the rest of our article, we will focus on a different, critical distinction that exists between a *mikveh* and a *ma'ayan*. Whereas a spring can make things *tahor* even when its water is flowing, a *mikveh*'s waters must be stationary for it to make people or items *tahor*. Even a leak in a *mikveh* could invalidate it; one should consult a *rav* for the guideline when a leak is severe enough to nullify the *mikveh*.

Snow

We should also note that snow is treated like rain, and that, therefore, snow, or the water that results when snow melts, can be used for immersion only when it is stationary. We will soon learn of a major *halachic* ramification that results from this information.

Minimal *mikveh*

The minimal quantity of water required for a *mikveh* is 40 *sa'ah*, which *Chazal* say is the amount required for someone to immerse fully and properly at one time. There are many opinions how much this equals in contemporary measures of volume. Accepted practice is to construct *mikva'os* that are far larger than *halachah* requires, even when building a *mikveh* that is meant only for *keilim*.

Mekabeil tumah

An essential requirement is that nothing that can become *tamei* may be part of the *mikveh*, move the water into the *mikveh* or be used to keep its water stationary. This means that the piping used to transport the rainwater to the *mikveh* must be made of material that is not *mekabeil tumah*, *susceptible to become tamei*, and that no part of the *mikveh* itself be made of anything that is *mekabeil tumah*. Therefore, if a *mikveh* has a plug somewhere, it may not be made of material that is susceptible to *tumah*.

To apply this *halachah*, we need to define what it means that something is *mekabeil tumah*. Usually, it means that the item has been fashioned in a way that it is now considered to be a "vessel" or a "utensil."

Most vessels that can hold a liquid qualify as *mekabeil tumah*, although the term *mekabeil tumah* is not restricted to such utensils. For example, a metal plug is *mekabeil tumah* and therefore cannot be used as a stopper in a *mikveh*. If a *mikveh* requires a stopper, a rubber plug is used, since this is an item that is not susceptible to *tumah*. A full treatment of the topic of what is *mekabeil tumah* is beyond the parameters of this article, and it is one reason why someone should always be in contact with a *posek* familiar with *mikveh* construction prior to constructing a *mikveh*, even if it is meant only for *keilim*.

Drawn water

For a *mikveh* to be kosher it must also meet several other requirements. The *mikveh* must, originally, be filled with water that was never inside a vessel. Water that was once in a bucket, drum or similar container is called *she'uvin* (literally, *drawn*) and invalid for use for purification, unless it became connected to a kosher *mikveh* or spring. The laws here are highly complicated, again providing a reason why one should not construct a *mikveh* without guidance from someone well familiar with these *halachos*.

Once a *mikveh* contains the minimal amount of water it requires to be kosher, one may add *she'uvin* water to the *mikveh,* and it remains kosher. There are early authorities who contend that this holds true only as long as one is not actively removing water from the *mikveh*, but that once one begins to remove water from the *mikveh* one must be certain that the majority of the remaining water in the *mikveh* is not *she'uvin*. Although many authorities rule that one does not need to be concerned about this minority opinion, the *Shach* (*Yoreh Deah* 201:63) and others rule that one should build a *mikveh* that is kosher even according to this opinion, and that is the usual practice. (However, see *Shu"t Chasam Sofer, Yoreh Deah* #203, 212, 214, who did not feel it necessary to take this into consideration when constructing a *mikveh*.)

In order to accommodate the *Shach*'s concern, most *mikva'os* are built according to one of three basic designs or a combination of them. In one design, a *mikveh* that was originally filled with rainwater lies alongside the pool used for immersion, but with a concrete wall between them in which there is an opening in the concrete above the point to which the pool is filled. Regular tap water is added to the *mikveh* until its water rises high enough so that it spills through the hole into the adjacent pool that is meant for immersion. After this process is performed, the pool may be used for ablution according to all opinions. This approach, which is called *zeriyah*, was the approach recommended by the *Chazon Ish* (*Yoreh Deah* 123:5) and the *Taharas Hamayim* (Chapter 46) and is the most common construction used in most *mikva'os* today.

The second approach has a similar appearance, in that there are two adjacent pools separated by a concrete wall which has an opening between them that is high on the wall. However, in this instance, the water is added to the side that is used for immersion until the water level raises high enough that its water touches the *mikveh* water which is located adjacent to it. The minimum size for such an opening is *kishefoferes hanod*, the opening of a flask, which means that it is large enough for one to place two fingers inside and rotate them comfortably. This approach is called *hashakah*.

A third approach, used in some *mikva'os*, is that they are constructed such that there is an additional rainwater *mikveh* immediately below or alongside the ablution pool, and that there remains a small opening between the ablution pool and the *mikveh* that is always open. This approach is called *hashakah beshaas tevilah*. The intrepid reader wishing to read up on the controversy concerning this *mikveh* will read *Shu"t Divrei Chayim* 2:98 and *Pischei Mikva'os* by Rav Yaakov Bleu*,* Chapter 9, footnote 41.

Sink or swim

As we have now seen, constructing a *mikveh* requires that one know how to do so in a *halachically* correct way. It is unlikely that someone without this knowledge will be able to construct a *mikveh* correctly. It is for this reason that one should be careful not to use a *mikveh* without finding out which *halachic* authority sanctioned it. I have found *mikva'os* in hotels that were *halachically* problematic, because they were not constructed according to proper *halachic* instruction. Similarly, in many places it is common that hardware and houseware stores construct their own *keilim mikveh* on the premises. These *mikva'os* may indeed be kosher, but one should not rely on their *kashrus* without first finding out which *rav* verifies that the *mikveh* was manufactured correctly or having the *mikveh* checked by someone familiar with the laws of *mikva'os*.

Make my own *mikveh*

The simplest type of *mikveh*, far easier to make than those described above, is sometimes constructed for use for immersing vessels. In these instances, water, usually gathered from the roof of an adjacent building, is channeled into a concrete basin. The pipes used for this endeavor may not be *mekabeil tumah*, susceptible to *tumah*, something not difficult to arrange, and the walls of the *mikveh* must be constructed in a way that they contain nothing that is *mekabeil tumah*.

By the way, there is nothing wrong with having steel mesh reinforcing the concrete walls of a *mikveh*. Although a steel vessel would be *mekabeil tumah* and therefore unacceptable in the construction of a *mikveh*, steel mesh is not itself an implement and it may therefore be used to reinforce the concrete basin of a *mikveh*.

At this point, we can address the second of the questions raised at the beginning of this article: "How difficult is it to make my own *keilim mikveh*?"

If someone is looking to make a small *keilim mikveh*, it is not that difficult or expensive a project. However, he should contact a *rav* or *posek* who knows how a *mikveh* is constructed, *prior* to making the *mikveh*. Indeed, someone building a proper *keilim mikveh* is performing a major *chesed* for his community and receives reward for everyone who ultimately uses it.

Let me explain the basics that one needs to do. A *keilim mikveh* requires two basic factors: a pool where the *keilim* will be dipped, and the means of draining rainwater into that pool. The manufacture of the pool requires only that one pour concrete in a way that the pool will hold the requisite volume of water. Since this is being used only for vessels, there is no need to construct any building around it, and one does not need to be concerned about hot water, plumbing, or heating. Again, I suggest that someone not do this without first consulting with someone with the *halachic* expertise to ascertain that it is done properly.

City water

Why don't we use only regular tap water for the *mikveh*? What could be wrong with this?

Although indeed some have advocated that regular piped water does not qualify as *she'uvim* and can therefore be used all by itself for filling *mikva'os* (see, for example, the work, *The Secret of the Jew*, by Rabbi David Miller), most authorities are hesitant in recommending its use. To understand why, there is a thorough essay on the topic in Chapter 40 of *Taharas Hamayim,* an encyclopedic work on the laws of

mikveh with an emphasis on contemporary issues, authored by the late Rav Nissen Telushkin. In that chapter, Rav Telushkin describes how he made an exhaustive study of the New York City water system, and includes the various sources of water that New York City used in the 1950's when he performed his study, and detailed diagramed descriptions of the various pumps, holding tanks, filters, meters, and pressure tanks that were used then in the processing and the transporting of the water. Rav Telushkin then carefully analyzed each piece of equipment used to see whether it was *mekabeil tumah*. He concluded, that, in his day, in most places of New York City, the city water supply could be used, if needed, as the main source for the water in a *mikveh*, but that there were areas where this would not be allowed. The reason for these exceptions was that in these places, the water was transported through a pressure tank that, *halachically,* might have been equivalent to it being in a vessel. Thus, his conclusion was that in his day in most of New York City one could use the city water for a *mikveh*, but that there were areas, which he mentions specifically, where one should not. Based on all his research, he concludes that one should never use the publicly supplied tap water as the original water of a *mikveh* unless one has done the exhaustive research necessary to see that in your locale, it is indeed kosher for *mikveh* use.

In the stream

At this point, let us examine the first of our opening questions: "Where I live, there is no *mikveh* that can be used for immersing new cutlery. May I dip them in a local stream?"

Obviously, this stream is not a kosher *mikveh,* because its water is flowing. The question that we need to determine is whether a stream qualifies as a *ma'ayan,* according to *halachah*, in which case it can be used, even though its water is flowing constantly. How does *halachah* determine whether the water source of a stream is a spring, or whether it is rainwater?

Halachah recognizes three types of streams. One is a stream which is fed mostly by spring water, but has a minority of its water (that is, less than fifty percent) from rainwater. Since a majority of its water volume is composed of spring water, this stream can be used while it is flowing (*Shulchan Aruch, Yoreh Deah* 201:2).

A second type is a stream that has swollen to more than twice its volume after a rainfall, or in the spring, when the snow melts. According to the ruling of the *Shulchan Aruch*, since most of the volume of the stream is now rainwater, it may not be used to make items *tahor,* unless one can make its waters stationary. The *Rema* (ad loc.), however, rules that, although it is preferable to follow this ruling, there was a prevalent custom based on *halachic* sources to permit use of this stream, even when it is flowing. He concludes that one need not correct someone who relies on this approach.

The third type of stream

The third type is when the stream dries up completely when there has been no rainfall. Such a stream may not be used as a spring and can be used only if one can make its water stationary (*Rema* ad loc.).

We can now answer the question raised: May someone dip vessels that require immersion into a stream to fulfill the obligation? When the stream's volume does not double after a rainfall, all opinions agree that one may use it, even when its water is flowing. When its volume is doubled, or more, there is *halachic* basis to permit its use when its water is flowing, although the *Shulchan Aruch* and others prohibit its use while it is flowing. A stream that dries up completely when there is no rain may be used

to immerse utensils only as a *mikveh*, which means one would have to make the water stationary, to use it.

Conclusion

The Torah provides us with a mitzvah to immerse food utensils, because this immersing elevates their sanctity so that they can now be used for a Jew's table. Thus, we see that not only is the food that a Jew eats required to have special care, but also the equipment with which he prepares that food.

THE SALE OF CHAMETZ: SUBTERFUGE?

A BACKGROUND

THE RAV SELLS ON OUR BEHALF

What do you think are the most common questions a rabbi receives in preparation for Pesach? How to *kasher* a stove? Sure. Who can eat Egg-Matza? Certainly. What's the *shiur* of Matza that one must eat by the *seder*? Of course. But somewhere in the top-ten is another, more philosophical question that, while touching upon *Halacha*, demands a thorough and historical explanation as well.

I am referring to the sale of *chometz*. "*Rabbi, is this not but a subterfuge? Surely the gentile knows he is not 'really' buying the chometz, and anyway, does he not know that it will be returned to us after Pesac*h?"

While colloquially people express this act as 'Selling *chometz* to the Rabbi', that is, of course, a misnomer. For, while at one time one did in fact sell his *chometz* to the *rav*, today this is no longer the case; rather one simply authorizes their rabbi with a power-of-attorney to sell *their chometz* on their behalf. This is the purpose of the *Shtar Harshao,* the contract we all sign and give to the *rav* (found above, page 14). According to Rabbi Zevin in his monumental '*Moadim B'Halacha'* this modification can first be seen documented in *shu't 'Shoel U'Meishiv'* regarding a query received in 1856.

Now, many rarely, if ever, witness the actual sale of *chometz* as it happens on *erev* Pesach, one of the busiest days of the year.[25]

In fact, historically it was *not* the *rav* who performed this sale. Rather anyone who wanted to sell their *chometz* would simply, well, sell their own *chometz*. However due to the complications involved in the laws of sales and acquisition (as we shall see below), and the ease at which someone can err in them the custom evolved that the *rav* typically assumes this responsibility for his entire *kehilla*.

✎ *'A SALE IS A SALE'*

But back to the original question: How can such a sale be valid? The simple answer is, 'A sale is a sale'.

Allow me to give a common example from secular law:

Say someone wants to give his son or daughter a house. Once purchased the parents would want their child to have complete ownership and title over it. So they sell it to them for just a dollar (it may still be deemed a gift by the IRS and one should speak to a tax attorney to understand all ramifications of such a legitimate sale).

Now, the reality of the above is not questioned for we have faith in the power and authenticity of secular law. We must have the same faith in

[25] Indeed it is for this reason that many have the custom of giving their rabbi some "*schar tircha'*-'money for his troubles' (see Teshuvos V'Hanhagos 2:218 for additional *halachik* reasons for this payment; cf. Sdei Chemed, *chometz u'matza* 9:6 **who discourages this custom**. See Piskei Teshuvos vol. 5 p. 74 footnotes 68 and 74 at length).

the power of monetary *halacha*. If *halacha* deems a certain act as a viable act facilitating a sale – by performing certain *kinyanim*/acquisitions - then it is just that: a sale, an authentic transaction.

REASONS TO BE STRINGENT

ꕥ *PERCEPTION OF A SUBTERFUGE*

Nevertheless, there are many reasons to be stringent regarding *mechiras chometz*. Some, for instance, have the custom not to sell any actual *chometz* (Vilna Gaon, Rav Aaron Kotler, et al). Although, even among those who are stringent it is still worthwhile to go ahead with a sale as a backup (*poskim*). But, you may be asking, ***Why*** are people *machmir*? Haven't we explained that 'a sale is a sale'?

Well, first and foremost, there are indeed those who were concerned regarding the very point of the seriousness of the sale; the fact that this sale may be *perceived* as a joke, a subterfuge. Indeed there is a *girsa* (a different text) in the Tosefta –while clearly approving the efficacy of such sales before Pesach – that ends with the words, "*…so long as it does not become a subterfuge*" (Behag, et al. Cf. Chasam Sofer and Beis Yosef). Second, it is clear from all the early sources –including the Shulchan Aruch, *siman* 548:3 –that for such a sale to be valid one would have to actually physically remove the *chomtez* from their possession. Meaning the sale would have obvious weight when one not only goes through the motions of a

transaction but also presents the gentile with that which they have purchased.

Due to our relative wealth today and the amount of *chometz* in many homes the possibility of removing all *chametz* from our possession has become ever more difficult (see Bach ad loc s.v. '*v'im'*, regarding Jews who would deal in liquor and could not possibly remove all their *chometz*). However based on a separate *halacha* (*siman* 440:2), the Mishnah Berurah (448:12) and others (see Magen Avraham ad loc) explain why today we can be lenient and simply cover or hide the remaining *chometz* with a mechitzah/partition (a *halachic mechitza* is of at least 10 *tefachim*, about 38 inches, see *siman* 440). This is allowed – in place of removal of the *chometz* - due to a relatively new innovation: the *rav* does not just **sell** the *chometz*, but he also sells the **rooms** in which they are kept (actually, the *rav* usually will not <u>sell</u> the rooms to the gentile but rather <u>rent</u> them; this is a significant debate that is beyond the scope of this short monograph. See *shu't* Chasam Sofer 113, Shulchan Aruch Harav, and Moadim V'zmanim vol. 3 at length).

ꕥ *THE ROLE OF SECULAR LAW*

Another interesting question is if the sale of *chometz* must be viable according to *secular* law.

To put this question in perspective, let me share a very famous story in *halachik* circles: Once, in the 19th century, someone informed the Kaiser

that Jews were selling large quantities of merchandise – i.e. *chometz* before Pesach - and were not paying any sales-tax on them. The Kaiser replied, "Not to worry, I am familiar with this sale, and it is not a 'real sale' rather a religious one"!! Rav Baruch Frankel therefore argued that one should avoid selling *chometz,* for the State may not see it as 'real', viable. The Chasam Sofer (*shu't* 113) did not agree and writes – in a famous *teshuva* where he also states that *'anyone who questions the custom of selling chometz should be harshly rebuked'* – that even if the State sees this as a religious exchange they too recognize its validity and standing. Nevertheless many seek to have their contracts approved by lawyers so that the sale would be binding in a court of law.

OTHER ISSUES

SELLING STOCKS

Another question that arises: What needs to be sold? For instance must one sell owned stocks in companies that own and deal in *chometz*, say Kraft Foods? This question is debated by the poskim (according to Rav Moshe Feinstein one would not have to sell such stocks. According to the Minchas Yitzchak 3:1 and many, if not most, others it must be sold).

Because of this many rabbis ask congregants to sell over such stocks as well. (The above does not concern bonds) *(If the market knew how many stocks are sold erev Pesach there would be a yearly market crash!)*

ꕥ *MUST WE RE-TOVEIL OUR UTENSILS?*

Proving that *mechiras chometz* is a valid sale can, on the other hand, carry with it its own questions. For instance, the custom is to sell our *chometz* utensils –although we really need not to, assuming they are clean from any visible *chometz*. But would not that obligate us to re-*toivel*[26] our cookware when we 'purchase' it back after Pesach?! To avoid this concern most contract state that the gentile is purchasing but the infused *chometz* in the walls of the vessels, but not the vessels themselves (see Piskei Teshuvos p. 67 and sources in footnote 24-29).

ꕥ *REAFFIXING MEZUZOT*

What about the need to reaffix *mezuzos* after Pesach? After all did one not purchase this house/room from a gentile after Yom Tov!? Here too the *poskim* either amend the contact or dismiss the concern for a number of reasons that are beyond the scope of this article.

There are a myriad of other questions relating to this sale. What type of biblical *kinyanim* (types of acquisitions) are affective for a gentile (because of this concern *rabbanim* perform several acts of acquisition; see Yesodei Yeshurin vol. 6); what if one discovers that the 'gentile' was in fact a *halachik* Jew all along; can one 'sell' his apartment for Pesach even though his official contract or landlord does not give him such power? Etc. etc. etc.

[26] *Tevila*: Most newly purchased utensils, made from most-but not all-materials, needs to be dipped fully in a kosher *mikveh* before use. The point above is that after Pesach we re-purchase these utensils, thus creating a new *tevila* obligation, perhaps.

Finally, may a *rav* sell *chometz* for a non-religious Jew without his knowledge, to save him from the biblical injunction against owning *chometz*?

ꕥ *THE WHISKEY CONCERN*

Several years ago I attended a meeting with several heads of major Kashrus organizations together with leading *poskim* and *roshei yeshiva* (see article below titled 'The Wild World of Kashrus'). One of the issues discussed was the recent discovery that some whisky companies were owned by Jews, which made their product(s) '*chometz sh'ovar al ha'Pesach'/chometz which was owned by a Jews over Pesach*, and forbidden to benefit from year-round. One Rabbi from Chicago mentioned that a congregant of his owned $30,000 of this product and now was fearful he would have to throw it all out!

(Whiskey contains *chometz* and *kitniyos* at various percentages, depending if it is American bourbon, rye, etc. Many American bourbon contains about 10% true *chometz*)

I suggested the following solution which relates to the above question: Rav Tzvi Pesach Frank – and to a lesser extent the Tchibener Rav – allow one to sell on behalf of another without the latter's knowledge. Rav Frank (see Mikroei Kodesh/ Pesach vol. 1 #71 at length) goes as far as to support such a sale even if the other person protests! This is based on the

Talmudic principle of "*zachin l'adam sh'lo b'fanav*"- one could benefit another without the other being present, an automatic power of attorney.

"Why not rely on this?" I suggested, "We can, at least for future production, simply sell the *chometz* owned by the company without their knowledge (see Igros Moshe who discusses the status of products that are *chometz* yet which a company does business with although it was sold to another for Pesach). The *poskim* shot down my idea – and for good reason, for a *vaad* that serves the public should not rely on singular views, and it would anyway do nothing to help all past production of such whiskey (and whiskey is a product that remains drinkable indefinitely).

Let us be grateful to those *rabbanim* who study these topics so that our *erev* Pesach –and Pesach – be free of worry.

The Second Day of Yom Tov

Part 1: Visiting Israel

Introduction

Three *bochurim* visiting *eretz yisroel*, one from Lakewood, one from Yeshiva University and from Morristown (Chabad), walk in to the Jerusalem Plaza Hotel on the second day of Sukkos.

"Gut Yom Tov!" the Lakewood *bochur* says.

"You mean, *a gutta moad*" the Chabad student responds.

"No, he meant both *gut yom tov* and *a gut moad*!" the Yeshiva University *bocher* suggests.

Sound like the setup for a punch line, right? Perhaps, but it is also a great illustration of the complications, confusion and differing opinions regarding *yom tov sheni shel golyos*.

As we shall see, each one of these *bochurim* would be right, as each may simply be following the view of their respective *poskim*.

How such disparity is possible, as well as other complications involving traveling and *yom tov sheni* will be discussed below and explained.

Say one goes to Israel to learn in *yeshiva* or to go to seminary for one year, how many days do they keep? What about a person visiting for *yom tov*? For one month? For a job program?

And, what about the other way around, a visitor to America or Britain from Israel?

Before I moved to Buffalo the last set of *halachos* I learned were *hilchos yom tov*. After having gone through tractate Beitza from a *halachik* perspective I thought I knew the *halachos* of *yom tov* fairly well.

But then reality hit.

My first Sukkos as a rabbi a guest from Israel approached me with a list of questions: when should he make *havdala*? Should he join *duchanim* (he was a *kohein*)? Should he *daven* in shul or at home with his *teffilin* on?

Before Sukkos, a family from my shul was about to depart to Israel and needed to know the exact protocol to follow. May they ask an Israeli to do *melachah* for them on the second day? Should they even *keep* a second day? If so, should they make or join a *minyan* of *bnei chutz l'aratz*?

Each of these questions was loaded. Great minds have debated and been consulted on these issues, as few of these cases are clearly discussed in the classic codes.

This could make for some awkward and uncomfortable circumstances.

Last year I received a phone call from a prominent *milemed* in *eretz yisroel*, a *talmud chacham* of note.

A member of my shul was in his *yeshivah* for the year and was told by me to keep both days of Pesach. Most of the class, however, would be keeping one day, based on this teacher's ruling.

The *rebbe* wanted to know if I could help him find meals for the second day…or better yet, if I would perhaps consider this student taking his (the *rebbe's*) view of observing but one day. He went on to explain the efficacy of his position (this will be discussed below).

I softly argued that both issues are codependent. If he does indeed have the status of a *ben chutz l'aratz* in the eyes of *halacha* then the ruling that he received from his *rav* from *chutz l'aratz* should not be trifled with; if however he is to be considered a *ben eretz yisroel* then, by all means, try to convince him to also take upon himself a new *rav* there as well.

Close to twenty years ago the *rosh kollel* of Dallas, Texas, HaRav Yerachmiel Dovid Fried *shlit'a*, composed an entire *sefer* dedicated to these issues. Every *rav* and *talmud chacham* is indebted to his tireless efforts in researching these difficult matters. His work, *Yom Tov Sheni K'hilchasah* became an instant classic, reprinted six times!

While we cannot here cover everything related to these issues we can try to give the reader a cursory background to the essential material and debates.

While we will not, now, be able to discuss each question and case, we can hopefully reach the goal of giving the reader a rudimentary knowledge of the issues involved.

By no means is this brief monograph meant to be exhaustive, and no ruling should from here be drawn.

Let's begin with a short review and quick background of our topic.

A Brief Primer

Already in the *sifrei ezra* (Nechemia 8:12) we find reference to a two day Rosh Hashanah, and some of the *geonim* place the idea of a second day of *yom tov* all the way back to Yehoshua!

This is important so as to correct the common misconception for some that our present Second Day of *yom tov* is merely a necessary annoyance of exile; rather it is something that has been observed since our early days as a nation.

Although the necessity of a two-day Rosh Hashanah –when the declaration of *beis din* of the new month and *yom tov* happen in tangent - is the most *obvious* of them all,[27] all *yomim tovim* would, at various times, necessitate two days.

In fact some even suggest that the concept of Jews who lived far from *beis din's* declaration observing two days on each *yom tov* is a *halacha Moshe m'sinai*![28]

However, once Hillel established his calendar it would seem that its need vanished. After all, now we know when *rosh chodesh* is, could there be any doubt, any need to keep two days!?

The Gemara (Beitza 4b) explains that because this has been the *minhag,* and, because the calendar is so complex that havoc or decrees can cause us to forget

[27] see Meiri to Beitza 5a; Rashi and Ritva to Rosh Hashana; Rav Zevin, Moadim B'Halacha p. 26 s.v. b'rishonah; Chazon Ish, oh'c 141:6), all yomim tovim would also find need for it. Already in the early days of our settlement in Israel it was difficult to get the word out to all Jews if the last month was 29 or 30 days. When a new month would begin that contained a yom tov people living far from the declaration would have no choice but to keep two days out of doubt. (There was a brief period that) We were able to circumvent this doubt through a torch warning system [Rosh Hashana 22], however this project was soon sullied by some who wanted to sabotage the system, and it had to be abandoned. See Enclopidia Talmudis, erech Yom Tov Sheni, column 2 where it would seem that they understand that the torch system was in affect for some time, even before beis sheni. However according to the views of some of the Geonim, and as the history as clarified in the appendix [#1] to the Artscroll, Rosh Hashana, it would appear to have taken place for a brief time. See also Yom Tov Sheni p. 8 note 7

[28] Rav Sadia Gaon. See Chasam Sofer, Beitza 4b

even the system we have now, we must continue in what we had been doing – keeping two days of *yom tov* outside of *eretz yisroel*.[29]

What may surprise the reader most of all is that from the simple understanding of history it would seem, and has been argued by some, that the term *yom tov sheni shel golyos* may be a misnomer, as many living in the far reaches of even eretz yisroel itself, perhaps, would also have difficulty receiving the *beis din's* calenderial information. Because of this there have been some *gedolim* living within the boundaries of Israel of have been strict regarding the second day to some degree.[30]

We find a stunning teaching from the Ramah M'Pano, that since the Torah was given in *chutz l'aratz* Hashem allowed it to be gifted with the potential of a *yom tov* day all its own.[31]

Travelers

The reader should note that the modern era has caused a veritable explosion of new questions relating to the *halacha* of *yom tov sheni*, specifically as it pertains to travelers.

This has lead to confusion not only among the layperson, but even among *talmidei chachamim* as well. Rav Shlomo Zalman Aurbach once remarked that precisely

[29] That these are two separate reasons is a matter of debate. This that yom tov sheni is based on 'minhag' does not mean necessarily that it is a minhag alone without the additional weight of a takana. See Ritvah, Rosh Hashanah, 18a. Cf. Tosfos, Sukkah, 44b. The Brisker Rav as well many others go into this at great length. See Yom Tov Sheni, miluim 3

[30] See Minchas Chinuch 301; Chazon Ish oh'c siman 132; Sheilas Yaavetz siman 168; Yom Tov Sheni, miluim, siman 4. It was the minhag of the Brisker Rav to be strict on the second day of yom tov even in Yerushalaim! Much of this debate hinges upon the ambiguousness language found in Rambam, kidush hachodesh ch. 5. The halacha follows the view that the current yom tov sheni is unique to chutz l'aretz, see shu't Avnei Nezer oh'c 392. See also Mikroei Kodesh, pesach vol. 2, siman 57. The status of new cities in eretz yisroel, and of places that might not be within its halachic boundaries, such as the city of Eilat, is beyond the scope of tis article

[31] Although this was specific to Shavous, see the words of Rav Yitzchak Hutner found in Sefer Zichronos, pp. 164-165 and in Pachad Yitzchak, shavous 15

because many of these issues are more recent there is a paucity of *mesorah* on how to *pasken* on many of the *shailos* relating to this issue, leading to much debate.[32]

Why is this? What changed?

From the Ramban to Avraham Avinu, the pure sacrifice that one had to endure just to breathe-in the *avira d'arah* (the air of Israel) was staggering. Indeed, over the centuries, many died on their way there. Others, who made it there safely, often had to live out the rest of their lives separated from their family; dying physically alone, yet close to the *Riboneh Shel Olam*.

Yet, today, someone in Brooklyn can become inspired from one *shemoneh esreh* by *shachris*, decide to go to *eretz yisroel* and be there by the *kosel* by *netz* the next morning…and be well rested too!

Our ease of travel has taken a rarity (i.e. a *ben chutz l'arutz* visiting Yerushalaim for *succos*) and turned into one of the most common *shailos* of the *yomim tovim*!

Visiting Israel from Chutz L'Aratz

Let us go back to the three *bochurim*. What are they arguing about?

Amazingly, the *Shulchan Aruch* does not mention the case of a visitor to Israel from *chutz l'aretz*, making these questions even more perplexing! (Although, as mentioned below, Rav Yosef Karo does mention it in his *teshuvos*)

[32] Yom Tov Sheni K'Hilchasa, hakdama, p. 12

The Chofetz Chaim writes in his *Mishnah Berrura* (496:13) that the majority of *poskim* rule that one who is visiting *eretz yisroel* from *chutz l'aratz* "*should keep both days of yom tov. Nevertheless he should daven yom tov prayers privately. However, if he does not plan on returning…or even if he travels for business (not knowing for certain when or if he shall return) but brings his wife and family with him, then… he would have the status of one who does plan on returning*."

Based on the simple meaning of his words, *bachurim* and seminary girls who only go to Israel for a year or so, with most of their belongings and certainly their support back home, should keep both days.

However, as anyone who has visited *eretz yisroel* on *yom tov* is keenly aware, the ruling of the *Mishnah Berura* regarding *davening* alone does not seem to be followed; rather *minyanim* for visiting *bnei chutz l'aretz* abound!

Some explain that today, when travel is so easy, the *halachik* reality has changed, and the *bnei eretz yisroel* do not see such *minyanim* as a breach to their own *yom tov* practice. Others suggest that such *minyanim* should take place in private homes or halls, but not shuls. Rav Elyashiv, however, is quoted as allowing even *bnei eretz yisroeli* to help complete such a *minyan* if there are at least six visitors.

As for such a person asking a *ben eretz yisroel* to perform *melacha* for them on the second day, while this is a longstanding debate - where Rav Moshe Feinstein warns one to try to be stringent and Rav Elyashiv allows it only for a *mitzvah* - Rav Shlomo Zalman Aurbach gives an ingenious reason to accept what has become the prevalent custom among many visitors to Israel to ask a denizen of the Holy Land to do a *melacha* on their behalf.

The *Shulchan Aruch* rules that one who accepts Shabbos early may ask another Jew who did not to do *melacha* on their behalf. The Magen Avraham explains the calculus of this ruling to be based on the fact that the Jew who accepted Shabbos early did it by choice; should he have so desired then even for him too it would not be Shabbos yet.

Explains Rav Shlomo Zalman that this same logic should apply to our case. Should a *ben chutz l'aretz* simply decide to stay in Israel the day would be *chol* (a weekday). Since the decision is up to the visitor, he/she may ask another Jew to perform *melacha* on their behalf![33]

Nevertheless, a *ben chutz l'aretz* should not do anything that would lead to a *zilzul yom tov* (such as getting into an Israeli driven cab or bus).

While the *Chofetz Chaim*'s ruling that a visitor must keep both days is clear, he lets us in on something. In his *Shaarei Tzion* (#18) he refers to another view that is found in the *Shulchan Aruch HaRav,* written by the founder of Chabad *chassidus*, the *baal haTanya,* Rav Shneir Zalman of Liadi. The latter rules that even a visitor to Israel must keep but one day. While there is some debate (even in some Chabad circles) if the *baal HaTanya* meant this as a final ruling, if he did he would not have been alone. The Chacham Tzvi and others agree. The Zohar too would seem to imply this as well (*Reya Mihemane*, *Emor*).

The reason for these two divergent ways of viewing a visitor to Israel is due to two ways we can view the second day of *yom tov* and the original *minhag/takana*: is it an obligation on the individual –if so then one who is defined as still living in *chutz l'aretz* must abide by the stringencies of the place from which he stems –or, if the creation of this *halacha* based upon *makom*/space –if so then regardless of where one comes from they must abide by the set laws of that *makom*.

In addition, the Chacham Tzvi points out that when *bnei yisroel* would visit Yerushalaim on *yom tov* in the days of the *beis hamkidosh* they certainly followed local custom, and we should not be more stringent than they were then![34]

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[33] : It is interesting to wonder what would happen should a visitor suddenly decide, on the second day, to live in Israel. While Shemiras Shabbos K'Hilchasah quotes Rav Shlomo Zalman to be in doubt on the matter, in his teshuvos [1:19;3], and those of others [Minchas Yitzchak 7:34] there seems to be a ruling that one can then immideatly treat the day as chol! Yom Tov Sheni quotes Rav Elyashiv as agreeing with this ruling only if this hachlata was made before halachik midday

[34] Perhaps we can suggest, however, that today with the advent of easy travel even Rav Shmuel Salant may have considered treating modern visitors differently than in the days of yore

Because of this, while in our opening case the Lakewood *bochur* would follow the majority view of keeping the second day in Israel (which goes all the way back to Rav Yosef Karo in his *teshuvos*), the Chabad *bochur* in our story considered it *chol*.

What about the boy from Yeshiva University? Rav Shmuel Salant (*Toras Rabbeinu Shmuel* p. 120) rules that one follows that Chacham Tzvi and the Baal HaTanya's one-day approach for visitors while at the same time keeping the stringencies of the other views. How does one accomplish this? They simply treat the second day in Israel as a weekday in terms of Teffilin and liturgy while at the same time abstaining from all *melacha*. Rabbi Soleveitchik ruled like this for many of his students as well (see *Nefesh HaRav* p. 84).

Three *bochurim*, three opinions, and all *toras emes*!

Epilogue

There is so much still left to discuss!

- When is one considered to have 'moved' to Israel?
- What about a visitor from Israel to *chutz l'aretz*?

Perhaps in next year's BVK Pesach Guide we will dedicate space to this issue.

Better yet, perhaps by then *moshiach* will have arrived and we will revert back to the calendar of old. Then, with the borders of *eretz yisroel* greatly increased, the Chasam Sofer (to *Beitza* 4) teaches, there will still be a second day of *yom tov*, but instead of being called *yom tov sheni shel golyos* (second day of exile) it will be called *yom tov sheni shel geuloseinu* (the second day of our redemption)!

May we merit that day soon!

'MIXED' MARRIAGE:

WHO KEEPS WHOSE MINHAGIM?

The headlines last year were everywhere:

"Mark and Michelle Schimel are running against each other for a state Assembly seat: He's a Republican, she's a Democrat vying to represent part of Long Island…"

In case you're wondering, the wife won…by a mile.

No, we are not going to discuss how to survive in a household comprised of people with disparate political beliefs, although that would be interesting. Instead we will focus on what practices a husband and wife should adopt in their home when they were raised with different *minhagim*.

Most people will tell you that in such a case the wife does *not* win. It is a *klal*—a general *halachic* rule – presumed by many to be ancient and carved into stone—that the couple keep the husband's *minhagim*.

There is no better time than Pesach to discuss this issue.

Every year as Pesach approaches, my sister-in-law asks, "Is there any way I can get out of adopting my husband's *minhag* not to eat *gebrokts*?"

She is not the only one frustrated by this problem. Some even take it to ridiculous levels; several years ago a group was formed called the *Kitniyos Liberation Front* (really). Unfortunately, much of their activity demonstrates an embarrassingly low tolerance for critical thinking and *yedios haTorah*.

It goes without saying that there are many wonderful Pesach *minhagim*, and it is important that they be kept. Pesach observance is a serious matter; we know the Arizal's statement that one who is careful to get rid of even a tiny amount of *chametz* will be protected from sin all year. Our intent is not to trivialize *minhagim*—on the contrary—but to determine whose *minhagim* get the "right of way."

It is safe to assume that for hundreds of years it was quite rare for two people from divergent backgrounds to marry. Travel was a luxury most could not afford, and many people died never having gone very far from their place of birth.

Husbands and wives generally shared, if not the same *rav ha'ir*, the same basic communal or provincial *minhagim*. It was certainly rare for a Sefardi and an Ashkenazi to meet, let alone marry. For this reason, discussion of these *halachos* began in earnest only about a hundred years ago.

THE FIRST TESHUVAH

The very first to discuss this issue[1] was the Tashbeitz, Rabbi Shimon ben Tzemach Duran (d. 1444). In a brief discussion,[2] he makes it clear that there cannot be two customs under one roof. The example he gives seems to be an allusion to Pesach: "It is obvious, and there is no doubt, that we cannot have two people feasting at the same table separated by their doughs."

There remains two questions: Who assumes whose *minhagim*? And in the event of death or separation, *R"l*, would a spouse revert to his or her former *minhagim*?

As for the first question, the Tashbeitz cites the principle of *ishto k'gufo*—literally, "his wife is one with him"[3]—which would indicate that a wife must assume the husband's practices. We find this concept as well in the case of a *bas Yisrael* who marries a *kohen* and thereby gains the right to eat *terumah*. And if the husband should pass away first, as long as they had children together, she may continue to eat *terumah* until she remarries.

All this, says the Tashbeitz, would apply to *minhagim* as well.

THE MODERN ERA

While this conclusion was affirmed in later *sefarim*,[4] it wasn't until the modern era, when many free countries became cultural "melting pots," that almost all major *poskim* discussed the issue.

Rav Moshe Feinstein stated as much when he was asked this question: "For here in New York people retained their distinct city *minhagim* from across Europe, whether lenient or stringent…"[5]

Interestingly, in this *teshuvah* Rav Moshe does not mention the Tashbeitz's opinion at all, but based on a separate precedent, he comes to the same conclusion.

He explains that just as it is an established *halachah* that if one moves to a new city he must adopt its *minhagim*, so too a wife "moves" into her husband's home. It is irrelevant whether they move to the husband's city or to hers, or whether her family purchased a house for them; the Torah's concept of marriage, either physically or metaphysically, involves the woman moving into the abode of the man (especially when we consider the *chuppah*; see Ran in *Kesubos*).

❧ *EXCEPTIONS?*

Is this rule set in stone? Are there exceptions?

There would have to be! Consider that there are numerous *minhagim*, and even *halachos*, that exist only because of women.[6] How would these practices have been perpetuated if each woman had to yield to her husband's customs? If that were the case, these *minhagim* and *halachos* would already have been lost.

Indeed, we do find several exceptions to this rule in the *poskim*:

We have often pointed out in this guide that one spouse may not force the other to abide by his or her personal *chumros.*[7] Rav Chaim Jachter[8] cites Rav Ovadia Yosef, who says that this principle would also pertain to the issue of a wife following her husband's *minhagim*; all matters of *chumrah* are *not* included (for example, if a husband does not rely on any *eiruvim*, the wife may still choose to carry on Shabbos inside an *eiruv*).

In fact, Rav Jachter (ad loc) quotes Rav Moshe Snow, who testified that while Rav Moshe abstained from eating *chalav stam*, he did not interfere when his wife chose to do so.[9]

Another exception to the rule is that a husband can be *mochel* in the matter of *minhagim* and allow his wife to retain her family customs. However, should she first accept her husband's *minhag* and only later decide to revert to her own, a *rav* should be consulted and *hataras nedarim* should probably be performed.[10]

A third exception is that *mitzvos* that are incumbent only or mainly upon women may follow the practice of the wife's family. This would explain how *minhagim* originated by women were able to survive over the centuries. Rabbi Neustadt argues for this principle at least in the case of lighting candles, where a woman may follow the *minhagim* of her mother.[11]

Rav Elyashiv held that certain customs are more stringent than *minhagim* and carry the status of *kabbalos* or *gezeiros*. He argues that eating *kitniyos* on Pesach falls into the latter category, and therefore holds that an Ashkenazi girl who marries a Sefardi must continue to abstain from *kitniyos* on Pesach. Based on the position of the Tashbeitz that we don't want a husband and wife with separate dishes at the same table, this is difficult to understand. Perhaps in such a case, the Sefardi man would adopt the *chumrah* of abstaining from *kitniyos*!

When Yosef and Binyamin were reunited in Mitzrayim, they both wept. Most understand that this was because they had a vision of troubles and destruction that would befall *klal Yisrael* in the future. The Maharal, however, understands that these were tears of joy; the brothers were relieved to foresee a future in which all the tribes would be reunited.[12]

May the current period, when we see Jews from so many lands coming together in communities and in marriage, herald a greater future of unity and peace.

NOTES:

1. *Noam*, Vol. 23, p. 155.

2. *Shu"t* 3:179.

3. Based on *Vayikra* 18:14; see *Sanhedrin* 28b.

4. See Rav Chaim Pelagi, *Moed Kol Chai* 2:23, for a very strong ruling on the matter.

5. *Igros Moshe Orach Chaim* 1:158, see also *Even Ha'ezer* 1:59; *O"C* 3:158.

6. See *shu"t haRashba* 2:228; *hakdamah perishah* to Tur *Yoreh Deah* 2 in the name of his mother as to the order of lighting candles for Yom Tov; *Niddah* 66a; et al. See further in *Shaarim Metzuyonim B'Halacha,* Chagiga 3a for a brief list where Rishonim bring views in the name of women.

7. For example, *Igros Moshe Even Ha'ezer* 2:22 near the end, inter alia.

8. *Grey Matter*, Vol. 3, p. 132.

9. This example would not apply for those who reject the concept of *chalav stam* as a matter of *halachah*.

10. Rav Shlmo Zalman Aurbach, as quoted in *Halichos Baysa*; *Yom Tov Sheni K'Hilchasa*; *Shalmei Moed*.

11. Weekly Halachah, *Vayera*.

12. As told to Yechezkel, ch. 37.

THE MACHINE-MATZAH CONTROVERSY: A HISTORY

Boy, do I have a story to share with you. It has all the ingredients of a great yarn. It has intrigue, controversy, and, most importantly, relevance, as it affects you, the reader, whether you know it or not. It also involves a heated debate between the two towering *halachic* figures of their time.

Before we begin, a brief introduction is in order.

BACKGROUND

What type of matzah did you eat by the *seder*? Was it hand-made? Machine-made? Square? Round? What do you plan on using the rest of Pesach?

When I was growing up my family would bake our own hand matzos at the Shatzer matzah bakery in Kensington, NY; because of this the sight of machine matzos seemed quite foreign to my young eyes.

Now go back 150 years –when machine-matzos were first introduced - and imagine how alien they appeared to the Jews living in that era. We also must consider that the introduction of machine-matzos came at a very

precarious time, both socially and regiously. The after-effects of the Industrial Revolution were still being felt all over the world, and for the Jews there was another revolution that was just beginning: the *Haskala*, and to a greater extent, Reform.

There was reason many were suspicious of innovation. There was also cause for the Jews of that time to secure themselves with, and warm themselves in, the traditions of our past, even those with no clear basis in *halachah*.

Summing up the ethos of the time succinctly, the Chasam Sofer coined the well-known pun, "*chodash assur min haTorah*" - innovation [a play on the prohibition of '*chadash*'] is biblically forbidden.

But what were the limits of innovation? Was *any* societal or technological innovation at the time to be shunned? As Rav Eliezer Halevi Hurwitz rhetorically pondered (*Bitul Moda'ah*): "Should we, too, ban the new innovation for printing *sefarim* (i.e. the Gutenberg press)?!"

On the other hand, by then we already witnessed the fact that small steps and even minor innovations were all that were needed to give birth to movements that led away from Torah. Reform, at first, desired certain changes, some of which seemed relatively not too controversial, yet the *gedolim* smelled danger as well as the certain encroachment on more serious *halachah* to come.

With this backdrop in mind, let us discover the story behind machine matzos and the resulting controversy.

THE BIRTH AND THE DEMAND

Most facts stated below without a given source are taken from the sefer Bitul Moda'ah by Rav Yosef Shaul Nathanson z'l, known as the Shoel U'Meishiv

Athough the heated controversy was 20 years away, this story really begins in Ribeauvillé, France in 1838 when the first matzah-baking machine was invented by a Frenchman named Isaac Singer and approved by his local rabbis as well as *rabbanim* in Furth, then a major yeshiva center. By 1845 the new invention was in use in Germany (Frankfurt). Seven years later, in 1852, there was a machine-matzah factory in Poland, in the city of Poznan (Posen). This is an important place and time, for the famed Rav Shlomo Eiger (son of Rav Akiva Eiger) was the *rav* in Posen until his death that same year. The Shoel U'Meishiv asserts that Rav Eiger was alive at the time and had authorized its *kashrus* for baking matzos.

By 1857 many of the major Jewish cities in Europe had adapted to machine-matzos. From London to Breslov to Pressberg (home of the Ksav Sofer) this innovation began to spread like wildfire. The main reason for the contagion is easy for us today to recognize: The issue of price. The average hand-matzah factory demanded twice the workers as a machine-matzah facility would. The owners of these hand-matzah bakeries

explained to the Ksav Sofer that after recouping the money from their initial investment in this new "machine", the savings would be enormous, and the price of matzah would go down significantly. This would allow not only for cheaper matzos for the *hamon am* (average person) but would also help bring dignity to those who, up till now, had to rely upon *kimcha d'pischa* (*moas chitim*) in order to feed their families for Pesach; should he allow machine-matzos, they argued, then even the very poor would afford matzos!

But the reasons went beyond the economic. There was –at least in Pressberg (see *shu't* Ksav Sofer for further details) – a shortage of *frum* laborers, which in turn resulted in the hiring of non-Jewish workers. If this was not cause enough for concern, there were reports by the Krakow *beis din* that on occasion some workers were so tired that they only pantomimed the act of working the dough.

But it gets even worse.

The working-hours at these bakeries were so exhausting that the Krakow *beis din* reported that there had been occasions where workers were caught sneaking **bread sandwiches** and the like into their mouths as they worked on the matzos!

As those familiar with geography can see from the above, this new innovation was spreading in an western direction. On this journey, in the years 1857 and 1858 it moved from Krakow 350 km east and entered

Galicia, and the town of Lvov (Lemberg). It arrived with the *haskamah* from none other than Rav Yaakov Ettlinger - the Aruch L'ner- one of the leading *lamdanim* and *rabbanim* of his age.

This is when the main story begins.

LVOV, KRAKOW AND THE BIRTH OF A MACHLOKES

The town of Lvov was lead for many years by Rav Ettinger (not to be confused with Rav Ettlinger, the Aruch L'ner). In that town learnt a young man by the name of Yosef Shaul Nathanson. Together with the *rav's* son, Mordechai Zev Ettinger, they studied the entirety of the *yam shel talmud*. They both went on to receive *semicha*, all the while learning with each other. They even published important *sefarim* together, including the oft-quoted Magen Gibburim (my colleague Rabbi Milevsky points out that the *Mishnah Berura* quotes this *sefer* over 200 times!).

Rabbi Nathanson was so prodigious that he went on to marry the *rav's* daughter, and when the *rav* passed away R' Mordechai Zev, although the *rav's* son, did not get the position; it went instead to Rabbi Nathanson, the *rav's* son-in-law. At this point Rav Nathanson had become one of the *poskei hador.* A prolific author, he is most known today for his *teshuvos Shoel U'Meishiv*. Many still refer to him by that title, as shall we for the remainder of this story.

This background will become important later in our story.

For now, notice that the year this new machine arrived in Lvov was the Shoel U'Meishiv's first year into his tenure - 1857.

So back to the story…

ERUPTION

The machine arrived in Lvov in 1857. At first they tried to test the machine, but it was too cold. On the second try it worked. In addition to the many advantages to machine-matzos in the eyes of some – and listed above – some claimed that there was another advantage. There was another *rav* in Lvov by the name of Rabbi Simon Aryeh Schwabacher. Coming from Germany that same year and already used to machine-matzos he argued to the Shoel U'Meishiv that hand-matzos are dirty, as the workers do not wash their hands; therefore such matzos are '*muktza machmas mius* (forbidden to touch due to disgust)"!

We should point out that at this point in his life this Rabbi Schwabacher may have been reform, and he was likely a *maskil*, and indeed the Shoel U'Meishiv had to explain why he mentioned the points of this rabbi in his own defense of his *psak*.

(Rabbi Shwabacher left Lvov just three years after his arrival, in 1860, and assumed a rabbinic position in Odessa, Russia [now Ukraine] after once giving a Chanukah speech there in 1859 where he enthralled the

audience. He died in Odessa 28 years later. Even during his tenure there, the progressives and conservatives, the *frum* and the reform were confused regarding whose side he most stood most for, although it seems hard to argue that he was a reformer in the classic sense. He also corresponded with the Netziv and other great *rabbanim*. See 'The Jews of Odessa: 1794-1881', Steven Zipperstein, Stanford University Press)

In any event, for reasons known and unknown, the Shoel U'Meishiv approved the new adaption to machine-matzos.

That same year in Krakow their *beis din* also ruled to allow machine-made matzos.

Now is when things begin to get interesting.

There was a man in Krakow by the name of R. Chaim Dembitzer who was not at all happy about this new development of machine-matzos. While questions would soon surface whether was really a *rav* –or a *dayan*, as he referred to himself – that reality is of no real consequence for he set out to gather letters from the great *rabbanim* of the time showing that the leaders of the Torah *veldt* forbade such matzah. Regardless of Dembitzer's standing or goals, the facts remain that he did receive many responses from some of the great *poskim* of the time prohibiting machine-matzah.

In fact, R. Dembitzer published a book in Breslov in 1859 titled '*Moda'ah L'Beis Yisreol'* ('A Warning to the Jewish People') where he records all of the responses he received.

Who were some of the *gedolim* who responded banning machine-matzah? None other than the Gerrer Rebbe (Chidushei HaRim), the Sanzer Rebbe (Divrei Chaim), as well as one of the leading *halachic* authorities of the time, *hagoan haRav* Shlomo Kluger, the great *rav* of Brody.

There was also another *rav* who wrote a letter prohibiting machine-matzah.. In fact, this letter came from a *posek* living in the town of Lvov – where the Shoel U'Meishiv's original allowance came from!

Who was this man?

None other than Rav Mordechai Zev Ettinger, the Shoel U'Meishiv's old *chavrusa* and brother-in-law!

While we do not know what went on in the Shoel U'Meishiv's personal life, we could only imagine how uncomfortable his time in Lvov was becoming.[35] There is strong evidence that a few years later (1862) he sought to leave Lvov, and accepted the position of *rav* in the town of Brisk – it was even made public. For reasons that are still unclear he never did take that position choosing instead to stay on in Lvov.

THE FIRST PAMPHLET: MODA'A L'BEIS YISROEL

[35] In a recent discovery I found in in the back of the second edition of Rav Nathenson's commentary to Chumash a note by a grandson that his grandfather and his brother in law even had prepared a book or responsa for publication; this too got lost in the *machlokes*.

What was the reasoning of these great men who disagreed with the Shoel U'Meishiv and prohibited machine-matzah?

The arguments found in that pamphlet, written by Rav Kluger and others, ran the gamut from the intriguing to the very convincing.

For instance, one of the fears (incidentally indicating that the old machine-matzos were once circular in shape and not square as they are today) was due to the following protocol: after the machine shaped the matzah into a square-shape, a worker would round it off so that it would be circular, taking the excess dough back and adding it to the other dough so it could be used in the next batch of matzos. The fear was that in the meantime, the extra dough would have time to turn into *chamtez*! Indeed, it is for this reason that machine matzos are all square today (so as to avoid cutting off extra dough), for even those who allowed machine-matzos accepted this argument.

However some *now* argued that the custom among *klal yisroel* for millennia was to have round matzah, and to change the shape to square was a problem onto itself!

Some went even further and challenged creating such an innovation in making matzos simply because it differed so radically from how we had been making matzos for thousands of years. Some went so far as asserting that this innovation came from German Jews who are known to appreciate innovation more so than their *Galiztianer* brethren.

That was not to be taken as a compliment to German Jews.

Some important *rabbanim* even suggested that the introduction of this machine was a surreptitious way to bring innovation among the *charedim*, for the reformers to get their foot in the door, as it were.

In addition, they pointed to serious questions relating to *kavana* (intent). The Shulchan Aruch (*siman* 460) rules that matzos have to be made by an adult, and that *matzos* for the *seder* must have specific intent. The *Mishnah Berurah*, for instance, rules (ad loc # 3) that even to watch over a non-Jew would not help in this regard. This being the case, how could a machine have *kavana*?!

There were also concerns regarding the ability to clean the machine from all the dough that would become stuck in crevices, as well as other similar concerns. Furthermore, as the matzos moved toward the oven there was a fear that the heat escaping would speed-up the *chimutz* process before the matzos are placed inside the oven.

A separate issue raised was the concern for all of the people who would lose their jobs making hand-matzos. One of the reasons, points out Rav Kluger, that the *gemara* gives for postponing the reading of the Megilla when Purim falls out on Shabbos is the concern that the poor people will not receive their *matanos l'evyonim*. So we see, he argued, that we must be mindful of the poor when making community policy, and the fact that

many would lose their *parnassa* (sustenance) with the advent of machine-matzah factories is reason enough to ban them.

SHOEL U'MEISHIV RESPONDS: THE SECOND PAMPHLET

That same year (1859), in response to '*Moda'a L'Beis Yisroel*', the Shoel U'Meishiv put out his own pamphlet, titled '*Bitul Moda'ah*' ('Nullification of the Warning').

In it he responded to all the arguments against machine-matzos – pointing out that most of the *gedolim* who were recorded in the previous pamphlet never even saw these machines, rather they relied on testimony, and often this testimony concerned antiquated machines that didn't represent the *hiddurim* made to them since their inception. As the Aruch L'ner, in reference to this debate, put it, "seeing is better than hearing".

The Shoel U'Meishiv, together with the Krakow *beis din*, also demonstrated that R. Dembitzer might not have been who he claimed he was.

In fact, the Shoel U'Meishiv unflatteringly refers to him as '*sheker haCheyN*' (false is grace), a play on the verse in Mishlei and R. Dembitzer's name, Chaim Nossan.

He also compiled letters from across Europe seeking support for his position. They included: the Ksav Sofer (see his *teshuvos*, *Orach Chaim*, *hosofos* 12), the Aruch L'ner, and the *rav* of Danzig, Rav Yisroel Lipshutz - the *baal* Tiferes Yisroel. The latter not only supported machine-matzos but wrote that it was he who requested such a machine be brought to Danzig, and that when he saw it he proclaimed the *beracha 'm'chadesh chadashim*- bless be He who creates new things'!

As to the issue of the workers who would lose jobs, the Shoel U'Meishiv argued that there were other ways to help those individuals, and that this innovation would help far more people.

As for the issue of intent, he argued in strong words that the machine does not work on its own (comparing it to rolling pins, which, of course, don't work on their own either) and since a Jewish adult is operating it there is no issue.

(Today these machines are far more advanced –Manishewitz, for instance, owns dozens of patents –and in addition they are not mechanical in nature but rather electrical, leading to issues beyond the scope of this brief monograph)

Regarding the issue of innovation, the Shoel U'Meishiv rhetorically asked whether it would also then be forbidden to ride a train.

The Aruch L'Ner also wrote in defense of innovation, as well as a vindication of German Jewry who are "upright" while also accepting "the innovations of men of science…for the purpose of observing *mitzvos*".

Regarding the issue of requiring circular matzos, the Shoel U'Meishiv and others dismiss this out of hand. In fact some even suggest (based on Beitza 22b, Menachos 57a) that since many of the laws of matzah are learned from the *lechem hapanim*, which were square, square matzos are preferred!

(See Ibn Ezra to Vayikra 2:4, relating to the shape of the *matzos* used for a *korban mincha* where he and other *rishonim* debate their shape; some say they were circular, while others say, square. This would seem like a much stronger comparison –as they were actual non-*chometz matzos* – and as we can see this too was an unsettled debate, See *Shaarei Aaron* ad loc)

The Ksav Sofer also dismissed the square matzah concern by stating, "In the merit of the four-cornered matzos, may Hashem redeem us from the four corners of the earth"!

The Shoel U'Meishiv also expressed disappointment in the perceived motive behind his brother-in-law's attack against his *psak*. However, from what I have seen, his brother-in-law's letter was first written in 1856, several months *before* Lvov welcomed their new machine.

While the Shoel U'Meishiv wanted to avoid this issue turning into a Chasidim vs. Misnagdim debate, in many ways that is precisely what

happened, largely due to the letters from the Sanzer and Gerrer Rebbes. To this day almost no *chasideshe* branch uses machine-made matzah. However, whereas during the early days of this *machlokes* many did write of their concern that machine-matzah may contain real *chometz*, this is no longer a concern today even among *chasidim* (Nitei Gavriel in the name of the Klausenberger rebbe. See also shu't Mishne Halachos 1:114).

Sadly the Jewish journalists of the 19th century got wind of this debate and began to pick sides as well as go beyond their breadth of ken by placing themselves between the heads of giants. Most notably was the Jewish newspaper '*Hamagid'* –a largely *haskalah* leaning paper – who published derogatory articles about those who wanted to prohibit machine-matzos.

Due to their clear bias it is hard to know if some of the facts they cite are true. For instance, on March 9, 1859 *Hamagid* reported that the Shoel U'Meishiv was taken to court in Lvov where he had to prove that his pamphlet was not filled with lies, as was told to the censor by the advocates of the first pamphlet *against* machine-matzos. The Shoel U'Meishiv was able to convince the judge that nothing wrong or untrue was to be found in his book, reported *Hamagid*. A fantastic account…if proven true. Perhaps I am being too cynical.

There was also another individual who took to writing into various journals and newspapers in support of machine-matzos whilst attacking –

in very strong words- Rav Shlomo Kluger. This fellow, R. Chaim Kara, would later write to the Gerrer Rebbe explaining that at the time he had no idea who Rav Shlomo Kluger was (!) and had he known he would have spoken with more respect.

As we can see from all the above, the new innovation of machine-matzos led to a heated *machlokes* that shook the Torah world of its time.

So what do we take from all of this? On the one hand neither the *Mishnah Berura* nor the *Aruch HaShulchan* ever even mentioned machine-matzah, on the other hand great *poskim* like Rav Shlomo Zalman Aurbach ate *only* machine-made matzah.

Well, the truth is we only told the first half of this story. Machine-matzah continued to spread throughout the second half of the 19th century and into the 20th. This innovation travelled south to *Eretz Yisroel*, and west to America, changing in design and concern with each passing decade.

Where 'Time Magazine' Got it Wrong

Before we describe what happened next, let me share a recent discovery that highlights the sad reality of the initial *machlokos* and what was left in its wake.

In April of 2009 Time Magazine published a brief history of the 'machine matzo debate'. They write:

"*In 1959, a well-known Ukrainian rabbi named Solomon Kluger published an angry manifesto against machine-made matzo, while his brother-in-law, Rabbi Joseph Saul Nathenson, published a defense*."

In just this one sentence we find three major inaccuracies. (a) Their date is off by a hundred years (b) although quoted in it, Rav Kluger was not the one who published this *sefer* (c) they mistook Rav Kluger and Rav Nathenson as brother-in-laws!

How could they err so?

Perhaps this was due to the fact that there *was* a brother-in-law element to the story. In his younger days Rav Nathenson would study with his brother-in-law Rav Mordechai Zev Ettingah (not Rav Kluger!). The two soon became a world-renown Torah-force to be reckoned with. They even published very popular *sefarim* together, including the important work '*Magen Gibburim*', one of the most oft quoted *sefarim* in the Mishnah Berrura.

It was therefore a shock to many to discover that in '*Moda'ah L'Beis Yisroel'* one of the rabbis who had written strongly against machine matzos and the ruling of Rav Nathenson was none other than Rav Ettingah!

Time Magazine was right that a brother-in-law was involved, they just got the wrong name.

But that is not even the central discovery I want to share; that was just its introduction.

A few moths ago I was looking something up in one of Rav Nathenson's works ('*Divrei Shaul',* Bereishis/Shmos, vol. 2) when I noticed that near the end of the *sefer* a relative of his offers a brief biography of its author. He mentions that the family once wrote to Rav Nathenson asking if the rumors were true - that he and his brother-in-law, Rav Ettingah, had written a monumental work of responsa based on the questions they received while sitting together in the *beis medresh*.

This would indeed be an epic work, as I am unaware offhand of any *sefer* of *shailos v'teshuvos* written by a set of *chavrusos*!

Moreover, the book was to be called, '*shu't Sheves Achim*' ('Responsa: Unity of Brothers'), a most appropriate title for such a unified holy venture.

Rav Nathenson responded to this query with a melancholy and revealing play-on-words, by stating that the '*sheves achim'*, the peace among brothers, no longer exists.

Machlokos does not just harm our relationships with each other, but has the power to even conceal Torah![36]

Rabbi Tzvi Yechezkel Michelson (*hy'd* d. 1944), in a discussion about this *machlokos,* decides to end his treatment "…on a humorous note". He reports that Rav Shlomo Kluger and Rav Nathenson had many other communal needs to work on together. They had no choice but to move-on from the harsh arguments and words regarding machine matzos. It would seem they

[36] One last point regarding the 19th century debate. Rav Shlomo Ahron Wertheimer of Yerushalaim (d. 1935) discovered that the 13th century *rishon* Meiri (in his '*Magen Avos*') seemed to have described a process of matzo baking in his time that seems to portray a very crude type of matzo machine. He therefore posits that had *gedolim* against machine matzos been aware of this precedent they would have yielded to the Shoel U'Meishiv.

We should note however that many of the Meiri's works were only discovered recently, and indeed Rav Wertheimer was a celebrated researcher of *kisvei yad* (manuscripts). While I have not yet been able to discover if this particular source in the Meiri was also a modern discovery, it should mentioned that if it *was* many would not feel obligated to it as Rav Moshe Feinstien and the Chazon Ish were very weary of modern finds –even from *rishonim* –influencing *halacha*.

developed a positive attitude toward this once vitriolic debate. Once, Rav Kluger and Rav Nathenson came together to Vienna to meet with the Kaiser regarding a matter of communal import. Rav Kluger sent a request to an officer asking if they could meet that day, instead of waiting till the morning. The official explained that whatever they came for would have to wait till their scheduled meeting the next day with the Kaiser, as he is very busy and "not a machine".

Rav Kluger smiled, turned to Rav Nathenson and said, "You see! Even in Vienne they stay away from machines!"[37]

A similar story of humor being shared between disputants is told about Rav Moshe Feinstein and the Satmar *rebbe*. They famously debated on several sensitive matters of *halacha*. One of the more prominent issues that they disagreed upon was the purpose of a *mechitza* in a shul. The outcome of Rav Moshe's understanding was that a valid *mechitza* need not be as high as what many may assume. The Satmar *rebbe* strongly disagreed. It once happened that Rav Moshe and the Satmar *rebbe* were at a *shiva* house together. Sitting in front of the *avel* the Satmar *rebbe* leaned-in toward Rav Moshe and started to speak to him in learning. Rav Moshe was surprised and, glancing at the *avel*, hinted to the *rebbe* that perhaps now was not the time to learn Torah. The *rebbe* pointed to an ottoman next to the *avel's* feet and replied, "No, we

[37] *Shu't* 'Tirosh VeYitzhar', 1:188, end

can talk in Torah in front of the *avel* because according to you that stool is a *mechitza!"*

ꕥThe Waters Cool…Briefly

From the 1870's until the turn of the century things slowly started to die down in Europe. While there were still people –and their respective *rabbanim* –on both sides of the fence, it became clear that machine matzos were (a) here to stay and that (b) those supporting it were not out to harm Torah or *mesorah*.

By the 1890's, and in many ways still true today, the question of the permissibility of machine matzos became divided along *chassidim/misnagdim* lines (something that Rav Nathenson was very disturbed by).

For instance, in the city of Dvinsk Rav Meir Simcha, author of the *Meshech Chochma* and *Ohr Sameach*, who was the *rav* of the non-*chassidim* of the city, allowed machine matzos and wrote a letter to his community stating such, while the Rogatchever Gaon, Rav Rosen, who was the *rav* of the *chasideshe* shul in Dvinsk, did not approve of them.[38]

[38] Both of their respective views are expressed in letters: Rav Meir Simcha to his surrounding areas, and the Rogatcahver in a 1909 letter to Yerushalaim. It is interesting that the latter seemed to have kept his opinion to himself in his own city, likely to avoid *machlokos*, or, perhaps R' Meir Simcha was viewed more as the *rav ha'ir*. See also *shu't* Tzphanos Paneach 2:39.

It should then be of no surprise that Rav Moshe Mordechai Epstien of the famed (non-*chasidesh*) Slabodka yeshiva also allowed machine matzos, even when the machine is run on electricity (*shu't* Levush Mordechai).[39]

However there were exceptions to these dividing lines, on both sides. For instance while the Chafetz Chaim does not mention this raging debate in his *halachik* works like the Mishnah Berrura (for reasons unknown),[40] he does state in a *letter* his strong suspicions relating to machine matzos.[41]

So too do we find those in the *chasideshe veldt* that seemed to have broken ranks. The *maggid* of Yerushalaim R'Shalom Schwadron's grandfather, the great *chasideshe posek* Rav Shalom Mordechai Schwadron –known as the Maharsham –wrote a number of *teshuvos* on the topic of machine matzos. While it is difficult to know precisely where he stood on the issue, it is safe to say that he leaned toward permissibility. He even stated that the suggestion

[39] For a full list of those who discuss electricity as it pertains to machine matzos, see *shu't Vayevarech Dovid* 1:91.
[40] I would venture to suggest that he did not mention the issue because this debate was still ongoing, and, because there were respected and trustworthy views on both sides, the Chofetz Chaim may have wisely surmised that adding one more name to either the 'approve' column or the 'disapprove' one would accomplish but one thing: cut the number of those who would study his monumental work in half, as the ones whom he offended would avoid his work. Even more surprising than the Mishnah Berrura's omission of this debate is the Aruch Hashulchan's. He as well fails to mention machine matzos. The difference between the M.B. and the Aruch Hashulchan, it seems to me, is that M.B. comes to explain the Shulchan Aruch, as a collected commentary, and it is not always its goal to share customs unless directly reflecting on a point being discussed. The Aruch Hashulchan however is meant not as a commentary to the Shulchan Aruch per se but rather a research tool to be used instead of or in concert to the Shulchan Aruch (for those who desire more background material, etc.). Accordingly the Aruch Hashulchan ***often*** brings the *minhagim* from across Europe. Nevertheless, regarding machine matzos, he may have had the same fears that I suggested above that the Chofetz Chaim might have had.
[41] See 'Chafetz Chaim –Chayav U'Poelo' vol. 3

that something should be presumed guilty simply because it is an innovation to how we had performed it in the past is a very weak argument.[42]

Another great *chassideshe posek* was none-to-thrilled with this disruption in *chassidehshe* practice. The holy *rebbe* of Sochatchav, Rav Avraham Borenstein, known as the Avnei Nezer, responded in a short but sharp letter regarding this *psak* of the Marharsham (who he does not mention by name), comparing those who would allow machine matzos in the face of the great *rebbes* who had already banned it as "a fly facing lions".[43]

The Avnei Nezer further argues that nothing is added by having new people enter this debate. "Who is greater than Rav Nathenson who already allowed it?" asks the Avnei Nezer, "yet the holy *rebbes* have already rejected his view…"

This is a fascinating argument. The Avnei Nezer seems to be saying that once the first generation of a holy debate closes we must assume that all the points on both sides have been exhausted. Our job then is simply to follow how our parents and teachers guided us.

[42] *shu't Marhasham* 5:82, as quoted by Hildesheir and Lieberman.
[43] 2:537 (may not be found in some volumes). See also *siman* 372 where the Avnei Nezer expresses his displeasure even regarding the mass production of matzo, of even hand-made. He felt that this too was not just a new development, but should concern us because when one makes matzo for themselves they are far more particular than one making it for unknown and unseen people.

Although the Marharsham's ruling caused quite a stir, it may have been for naught. Even till today, *what* the Marharsham's position regarding machine matzos really was remains hotly debated. In some letters (like the one written to St. Louise) seems to allow it, in others he even seems to *prefer* it, and still others where he says that he '*never allowed it*'.

So much confusion surrounds the Marharsham's opinion that twenty years ago a great grandson of his wrote a long treatise on the matter for a Torah journal of Karlin.[44]

The Machine Makes 'Aliya'

The short but sharp letter of the Avnei Nezer quoted above was written in 1909. That letter, along with several others from Europe, made its way to *eretz yisroel.*

Already in 1873 the first matzo-baking machine was brought to Israel, however, likely due to the fact that it never became popular, it did not cause a stir.

[44] '*Kovetz Beis Ahron V'Yisroel'*, vol. 3:51

But by 1908 and 1909 things the winds changed. Six years earlier the Cohen/Halperin machine matzo plant was founded and their matzos became prevalent among many of the non-*chassidic charedim* at the time (then called *perushim*). This was not by chance, as this factory was given *hashgacha* by none other than Rav Shmuel Salant! Rav Yosef Chaim Sonnenfeld also gave his *hashkama* –in theory –to machine matzos.[45]

The *chassideshe charedim* however truly believed these matzos to be a major violation of law.

In fact, the very same Marharsham who caused a stir in Europe because he *allowed* machine matzos was now being quoted as one of the main sources of the *chassidim* disallowing them!

Anyone who might be confused as to the give-and-take to this debate need look only to the *pashkivillim* (posters) that painted the walls of Yerushalaim in 1908-1909 where every opinion regarding machine matzos, every argument, is quoted, debunked, and quoted anew. As the Jewish Observer once put it, it was an all-out '*pashkavillim* war'.[46]

[45] To a plant in Haifa. This was later rescinded due to concerns unrelated to this discussion
[46] Jewish Observer, April 2004. Much work on this topic proceeded my own and whose research benefited me greatly. *shu't VaYevarech* Dovid 1:88; R. D. Schwartz, Sinai, issue 64; J. Sarna's written remarks on this subject based on a lecture given at Touro College and found at Brandies.edu, Jewish Observer ibid., Hildesheimer and Leiberman's 'The Controversy Surrounding Machine Made Matzot', inter alai.

The machine matzo debate has now arrived in our holiest city.

In one of the *pashkivillim* citizens of Yerushalaim are invited to see the matzo baking of Rav Shmuel Salant himself!

While it comes as no surprise that some wanted machine matzos banned, it may however surprise readers to learn that the pendulum swung both ways. Rav Shlomo Zalman Aurbach reported how he remembered[47] that the situation with hand-made matzos was so bad[48] that many *rabbanim* wanted to *ban* ***hand****-made matzos*![49]

This may sound odd to our ears (and mouths) but keep in mind that this debate –going all the way back to Rav Nathenson - was not just about if machine matzos were kosher for Pesach, but if they were *superior* to hand matzos.

Rav Shlomo Zalman himself would *only* eat machine matzos on Pesach. However by the *seder*, he would also try to find *mehadrin* hand matzos to fulfill all opinions.[50]

[47] Although born the year following this debate -1910 –this was still a controversial issue for at least a decade after. It is more likely that he was referring to a later time
[48] See part 1 for what these problems might have been
[49] *Halichos Shlomo*, Pesach, 157-158 #46
[50] While everyone agrees that he ate machine matzo for the remaining days of Pesach, what he did by the *seder* is a matter of dispute. Based on the two sources I found that discuss his custom (*Halacha Shel Pesach* (Freidman) p. 481 and *Halichos Shlomo* ad loc. what is written above seems to be the most accurate

As Rav Tzvi Pesach Frank explained[51]a machine has no concept of *daas* (knowledge) so the 'wrong' type of intent is impossible to place on it. All that matters is that we are able to establish that a machine is the extension of the person who turned it on. In the view of these *poskim* once we eliminate such concerns then a machine is not just permissible to be used for the baking of matzos, but recommended. This is because by having a machine designed for this purpose one thereby eliminates human error. In addition, the custom, based on the Chasam Sofer[52] , is to go from dough to oven in just a few minutes, something which a machine makes far more plausible. [53]

We should point out that although we have written in the past of the dangers of innovation in *halacha*, these *poskim* would point out an obvious distinction: it is only innovation that could have easily have been done in the past yet, for whatever unknown reason, was ignored or bypassed that we mustn't now ignore the mysterious concerns of old and act differently for ourselves.

In other words, it is irrelevant that until 1838 Jews only ate hand-made matzos, for they had no other choice! Who is to say what the *rishonim* would have also rejected machine matzos had these machines been invented earlier? That is the crux of *mattirim's* argument as it pertains to innovation.

[51] *Mikroei Kodesh*, Pesach vol. 2 p. 11 ff
[52] *hashmatos C'M* 196
[53] See also *Hagadas Moadim Uzmanim*, p. 22

While this debate in Israel has cooled, we can still find allusions to it. For instance Dayan Fisher (d. 2003) writes[54] that while both types of matzo are acceptable, *should be stringent* and eat only machine matzos!

On the other hand, when the Chazon Ish saw that his brother-in-law, the Steipler Geon, had machine matzos for his children to eat on Pesach he promptly informed him that it was *chametz*![55]

So, we began in Lvov and ended in Yerushalaim. In both Europe and Israel what began as a heated debate ended in mutual respect.[56]

But this machine still has one more stop to make: America.

'Only In America'[57]

NPR's 'Planet Money" recently had a report on matzo in general, focusing on Manischewitz.[58]

[54] *Even Yisroel* vol. 1, Rambam, Chometz U'Matzah, ch. 6
[55] Maaseh Ish vol. 5; see also Shaarei Ish p. 44 that the Chazon Ish said that as a matter of law one mustn't eat machine matzos; Cf. Chazon Ish *O'C* 6
[56] See Nittei Gavriel who quotes from the Klausenberger *rebbe z'l* that even those against machine matzos would no longer call such matzo '*chometz*'
[57] See 'Sarna' mentioned in a footnote above. Much of the material found in this section would not be possible without his investigations into this subject
[58] April 10, 2012

“My guide through the factory is one of the world's leading authorities on making matzo. He's not a rabbi, or even a Jew.

"’I was raised Southern Baptist and my wife is Roman Catholic and I'm running operations for the country's largest Jewish food company,’ says Randall Copeland.

"Only in America."

According to the April 10, 2012 edition of the New York Times, each year about 130 million dollars is spent on matzo. Manischewitz alone –according to a recent story in the New Yorker –produces over 76,000,000 individual pieces of matzo annually!

While most of these sales take place on or before Pesach, there is also a not-insignificant percentage that is bought throughout the year. In fact, former president Bill Clinton has a famous friend who often makes him *matzo-brei* when he comes over to visit!

The story of how machine matzo in America came to be, and came to be accepted by many, is a notable one.

One of the main supporters of machine matzos in Israel was Rav Nafatlai Amsterdam. Born in Salant in 1832, he would later become one of the most famous disciples of Rav Yisroel Salanter. Often supporting himself with a bakery owned and operated by his wife, he settled in Israel in 1906, three year before the eruption of the 'matzo storm' examined in the last chapter.

Some thirty years after the birth of Rav Naftali another baby boy was born in Salant. Born to R' Yechiel Michael Manischewitz, they named their new son Dov Ber. He too would go on to study with Rav Yisroel Salanter (in the town of Memel), and, as we could guess from his last name, he too would support himself with a bakery of some type.

Indeed, this family was not just *close* with Rav Yisroel Salanter, but truly desired to follow in his ways. Soon after Manischewitz Matzo was founded in Cincinnati in 1888 a friend of Rav Ber opened up a competing matzo business. Writing to his father in Europe in search of a letter from a respected *rav* disallowing this competition, the son received a reply letter of harsher tone, beseeching him to follow the ways of the recently deceased Rav Salanter and seek only peace.

Matzo had been baked in America since its infancy; there is even documentation of Jewish soldiers during the civil war –on both sides – receiving rations of matzo during Pesach.

However, ***machine*** matzos were still largely unheard of in America. In the above referenced New Yorker piece Rav Ber is likened to Steve Jobs (the creater of Apple Computers) whose genius was not based on invention per se, rather in taking that which already exists and perfecting and streamlining it.

R' Ber Manischewitz not only accepted machine matzos as kosher for Pesach, he perfected its process, and even advertised them as 'square', something which some *rabbanim* in Europe had taken issue with (as discussed last year in Part 1).

It should also be pointed out that, in time, the matzos that Manischewitz was producing were not exactly like the machine matzos of Europe. Manischewitz owned tens of patents making not just their matzos ahead of their time, but even their factory. Much of their innovations were adopted by other companies of the time and are still in use –although modernized –today, such as 'electric eyes' that count how many units are being produced during production.

Whereas initially a 'machine' matzo was but rolled mechanically, now they were rolled, shaped, pulled, and marked all by a machine. The oven too was far more modern than what was being used in Europe, and was gas fueled.

While some would argue that these made the process *less* problematic from a *halachic* perspective, others saw this as only adding to the problem –making the matzo even more removed from the hand of its creator(s).[59]

The reader should note that at this time in American history there were very few *chasideshe rebbes* in the country, and the absence of these, the strongest opponents of machine matzo, allowed Manischewitz's successes to grow exponentially. To illustrate, Rav Eliyahu Yosef Rabinowitz, often cited as the first *rebbe* in America, emigrated in 1899 and passed away in Buffalo, New York just eleven years later (where he is buried and visited by many each year. He will be the subject of a future article *iy'H*. Others may posit that Rav Avraham Ash was the first *rebbe* in America).

Although the opposition to machine matzos in America was minimal, and even Rav Yaakov Yosef (also a student of Rav Yisroel Salanter, interestingly) supported their use on Pesach,[60] there remained some doubt in the hearts of some.

[59] The Satmar *rebbe* –in *Divrei Yoel* 1:35 –makes just that argument, suggesting that the early *mattirim* of machine matzos are poor evidence to the allowance of the more modern ones.
[60] See '*Tikvas Yosef*' at length; See also the *yarchon* 'Hapardes' March 1938 in the supplement (mentioned in more detail below) for a complete list of the many *chashuvim* who gave their *haskama* to the Manischewitz Co.

Enter Rav Zechryah Yosef Rosenfeld. Rav Rosenfeld was already a distinguished *rav* in Europe when he fled to America in 1893. By 1894 he was elected *rav* of one of the shuls in St. Louise.

Although few recognize his name, Rav Rosenfeld was one of the most important *rabbanim* to the history of America. To understand his sacrifice in taking a stand regarding machine matzos at the turn of the century, one needs to be aware of the bristly decade leading up to it.

In the late 1890's Rav Rosenfeld designed and constructed the **very first** city *eruv* in America. This was no small feat, as even before his St. Louise *eruv* was built it drew heavy criticism from another *gaon* who also served as *rav* in that same city, Rav Shalom Elchanan Jaffe. Rav Jaffe published a *sefer*, '*Shoel K'Inyan*', a treatise seeking to show that the (proposed) *eruv* would be unacceptable.

Looking at the dates it is apparent that the very same year Rav Rosenfeld arrived in St. Louise he announced his plans to build an *eruv*! Like many *rabbanim*, he felt it was his duty to protect Shabbos by building a city *eruv*.[61] In 1896 he published a defense of his planned *eruv*, in a *sefer* titled, '*Tikvas Zecharyah*'. Utilizing telegraph wires and the Mississippi River, the first city *eruv* in America was built.

[61] Refer to *shu't* Ro'sh, *klal* 21

Although he was viscously attacked for his *eruv* –and both sides sought *haskamos* from around the world (an article for a different time) – Rav Rosenfeld somehow found the strength to write another *sefer*, on yet another controversial topic.

In 1905[62] he published '*Tikvas Yosef*' where he demonstrates why machine matzos, and specifically those, like Manischewitz, being produced in America, are kosher for Pesach. Like with his *sefer* defending his *eruv*, he sought letters from distinguished *rabbanim*.

Once again, the Marharsham is quoted as allowing machine matzos, with certain conditions,[63] and once again his true position remains unclear.

Many supported Rav Rosenfeld arguments, however there were exceptions. The author of the *Darkei Teshuvah*, for instance, wrote that he simply could not offer a *haskama* after the holy *Divrei Chaim* banned machine matzos.[64]

Manischewitz for their part opened their doors to any and all *rabbanim* to see and inspect the process for themsleves. In the late 1930's they even published a book listing over one hundred *rabbanim* who supported their venture. They even assert that Rav Meir Shapiro ate Manischewitz matzo the *entire year*,

[62] Although the book states that it was published in 1903, this was impossible
[63] His letter to Rav Rosenfeld can be found in *shu't Marharsham* 2:15
[64] Found in the back to the Darkei Teshuvah's *sefer* on Chumash, '*Tiferes Banim*'. His words echo the argument made by the Avnei Nezer

knowing that there would never be **<u>any</u>** *kashrus* concern with their product (i.e. *hafrashas challa*)!

In the March 1938 edition of the prestigious Torah journal '*HaPardes'* a 25-page supplement was published celebrating the *yovel* (jubilee) of Manishweitz machine matzo (ending right before the *yiddish* advertisement for Dr. Pepper!). There one finds letters from the most eminent *litvehse poskim* of the time.

One will also discover something else, something fascinating. The Manischewitz family had opened a *yeshivah* in Yerushalaim, becoming quite close with many of the *poskim* of the city. It is unclear when this small *yeshiva* was dissolved, but from the information provided in *HaPardes* it was clearly a serious place. Indeed, already as young boys, Rav Ber Manishewitz sent his two sons to Yerushalaim to learn at the famous *Yeshivas Etz Chaim*, something that few families in Ohio of the time did! Rav Ber was serious about Torah and, in addition, these connections to great leaders of Israel allowed him 'in the door' so that he could better articulate how his machine matzo process worked. So that the reader does not misunderstand this last point, it is not to suggest that friendship changes a *psak, challila*, rather that a *posek* needs to know that the man seeking to innovate is not after a more perverse prize or heading toward a more rash progression.

Knowing Rav Ber as a man of Torah, a family with deep roots in the classical Torah world, evidenced character and helped soothe any question of a 'greater agenda', which if the reader recalls from Part 1 was no small part of the concern of those who wanted machine matzos banned when they were first introduced.

[See Sidebar for a picture that Rav Tzvi Pesach Frank and others had sent to *HaPardes* in celebration of Manischewitz's jubilee].

Epilogue

Many people see machine matzos as a *b'dieved*, something only allowed on Pesach ex post facto, at best. The information we have provided shows that, at least among the non-*chasidim*, it is far more complicated than that; some *gedolim* even preferring machine over hand matzos.

In addition, no one would argue that machine matzo factories are anything but vigilant in controlling their environment. So intense is the kosher for Pesach supervision at Manischewitz, Streits, Yehudah, etc. that it caused NPR to state, "The matzo business may be the most heavily regulated business in the world."[65]

[65] Ibid

Aside for gaining an understanding of the effort and Torah that goes into so much of what we enjoy, we can learn another valuable lesson from what we have learned: not every *machlokos* in Torah and *halacha* must end in bitterness. When there are legitimate *poskim* on either side of an issue, and after all the points have been made and all the ink spilled, each family can follow the views of their particular leaders while at the same time recognizing that *eilu v'eilu* (the principle that two incompatible views in *halacha* can each retain an inherent truth) did not perish with the closing of the Gemara.

"*Ki Lo V'Chipazon Teitzu…*- You Shall Not Go Out In Haste…" (Yeshayahu 52:12)

The *navi* teaches us that whereas we left *mitzraim* in a hurry and therefore our dough did not have time to rise, when *moshiach* comes we will leave with calmness.[66]

This debate regarding machine matzos represents in many ways the chaotic nature in which *geulas mitzraim* took place.

May this Pesach bring about a new *geulah* and a new calm. May we soon join to share in *matzos* together with the *korban pesach* in Yerushalaim.

[66] See Radak

'LOCAVORES' & SHECHUTEI CHUTZ: SUPPORTING LOCAL ESTABLISHMENTS

LOCAVORE': ITS ORIGIN

Every year the esteemed Oxford dictionary chooses a 'word of the year'. They explain: "*Among their other activities, lexicographers at Oxford University Press track how the vocabulary of the English language is changing from year to year. Every year, a 'Word of the Year' is debated and chosen to reflect the ethos of the year and its lasting potential as a word of cultural significance.*"

In 2009 that word was 'Locavore'. This term was created to give a descriptive to those who make a commitment that all of their food, principally, comes from local farms and proprietors.

This has become a movement, for reasons of nutrition, community support, and the environment. But not everyone is on board. After countless books were published singing the gospel of 'locavoring', others were published, like 'The Locavore's Dilemma' that demonstrate that one may be causing more harm than good by becoming a Locavore.

In communities across the *frum veldt* we find this same debate taking place, in fact, this has been a perennial question for centuries: must a city or

town be faithful only to their own establishments? And, if so, at what cost – both *halachikly* and fiscally?

An addendum to this question, which we will also explore, is what *halachik* efficacy there is to demanding the support of a Jewish-owned store over a non-Jewish chain-store (i.e. may one buy meat from Pathmark when a *heimeshe yid* has a butcher shop nearby).

History

Seeking to shake the bonds of communal responsibility, and the costs associated with that *achroyos*, is nothing new. In the late 1930's, in city of Brisk, government officials placed a tax on all *shochtim*. The purpose of this tax was to help pay for government monitors who would perform inspections for the sake of the public health. Some local *shochtim* wanted to avoid this payment, and so a black market was created. These *shochtim* would go to a hidden place in the outskirts of the city to perform *shechita* thereby avoiding paying the tax. The Brisker Rav was not happy about this development and felt that the *vaad ha'ir* could not give certification to such *shechita*, even if these were otherwise pious men whose actual *shechita* was to the highest standards. And so, he called a meeting in his house. For reasons that are too lengthy to go into here, the meeting was a disaster (see 'The Brisker Rav: Vo. 1', Feldheim [English] ed., p. 249 *ff*).

Not long after, the Brisker Rav's worst fears came true. After getting word of illegal slaughterhouses operating around the city, plain-clothed police officers surreptitiously went to investigate the matter. One *shochet* was so startled at the unaccepted visitor that when he quickly turned around –and still holding his *chalaf* (*shechitah* knife) in his hand –he accidently stabbed the police officer, who soon died from his wounds!

Soon after a pogrom broke out across the city of Brisk; shuls, *chedarim*, *batei midrashim* were damaged, windows shattered, etc., causing many to flee the city (the Brisker Rav did not flee his city; see Shul Chronicles: '*Hurricanes, Halacha, and the Chasam Sofer*' where the *halachos* of a *rav* fleeing his city is discussed).

During these dark days in Brisk the famed mother of the Beis Yaakov movement in America, Vichna Kaplan –then Vichna Eisan – famously helped save 5 Beis Yaakov girls trapped in the school.

It took some time for the city to return to normalcy and for peace and order to be re-established.

This is not to compare the above to patronizing stores outside one's city, rather to show that even in the face of such severe consequences the Brisker Rav was not initially listened to and people sought to beat the city system.

While I have vivid memories of coming to Buffalo as a child and going to the butcher here to get a delicious steak, years later, about a year

before I came to town, the *vaad* had pulled their *hashgacha* on the one remaining certified butcher in town.

There is a deli, and a wide variety of frozen meats, but that is just not the same.

I have always remained relatively tame regarding the need to support the local deli; I understood peoples' hesitation in purchasing pre-cut frozen meat and poultry when they could stock-up on fresh meat and poultry –cut to their specifications –when they are out of town.

Make no mistake, I was never a fan of these monies leaving the city, but I also understood that it would not be wise using my *kanois* capitol (which is not a finite resource) on a losing battle.

Now that has changed; we have a local butcher. Of course, those with *halachik* qualms with the *shechita* et al. should honor their *minhagim*, and what follows is not written for them.

A Local Butcher and a Vaad's Responsibility

While great news for the city, it also created a dilemma for the *vaad* and myself: how far should a *vaad* go in insuring their success? What is the *vaad's* role? What is a rabbi's role? What is *halacha's* role? Most importantly, what is the role of the *bnei ha'ir* in supporting and maintaining the local kosher and *frum* establishments?

The term often used by *rabbanim* when decrying the lack of support for local kosher establishments –especially when it comes to meat – is '*shechutei chutz*'.

In case there is any confusion let me state clearly: the term *shechutei chutz* is found specifically by the laws of *korbonos*, and it is not found in reference to supporting local butchers – to my knowledge – anywhere in the classic codes. Rather, it would seem that this term is used in a colloquial sense, in that just like by a *korban,* where everything can be done in a '*kosher*' and '*halachik*' manner, and yet still be considered a major violation of law simply by performing these acts in the wrong *place*, *rabbanim* seek to highlight that we can find in other areas as well where our tunnel-vision for doing everything in the right manner - to *shecht* with all the right *chumros* - causes us to ignore the question if this is the ***place*** to do it. The fact that the classic *shechutei chutz* also relates to meat made this a useful pun, although with a pointed edge to it.

It is not so difficult to see the results of our actions, but it takes some imagination, even *lomdus*, to realize the heavy burden of our ***in***actions.

The *gemara* in Chagiga (22a) points out that although certain foods of an *am ha'aretz* (unknowledgeable Jew) are questionable, they are nevertheless allowed to bring their oil and wine to the *beis hamikdosh* when offering *korbonos*. R'Yose explains the purpose of this rule so as to protect the *klal* from in-fighting and disputes. Should we disallow or question what

they bring to the *har habayis* these Jews may then go and create their own *'vaad'*, and erect unsanctioned *mizbeichos*, and even offer up their own *parah adumah*!

Imagine that! At least according to R'Yose, in the *beis hamikdosh*, on the *mizbeach*, we were so concerned with causing friction among *am yisroel* so as to allow questionable items!

Tosfos, and to a larger extent the Shvus Yaakov (2:56) derive from here that in a case of a minor *am ha'aretz* (meaning, there is no reason to believe that he violates most of *halacha* due to his ignorance) his testimony is relied upon (cf. Rambam hil. Eidus, and how the Shvus Yaakov seeks to explain it).

The story behind this *teshuvah* of the Shvus Yaakov is quite interesting: there was a city where certain members were bringing in meat that the *rabbanim* feared did not meet (meat?) their standards. The *rabbanim* therefore issued a proclamation that not only deemed this out-of-town meat '*treif*', but also proclaimed that the dishware that came into contact with such meat would also be seen as 'non-*kosher*'.

To be clear, we are not talking about meat where there is known *halachik* concern and where such a proclamation would have been redundant, rather meat whose source was not approved or <u>known</u> by the town *rabbanim*.

The Shvus Yaakov rules that these rabbis should not have proclaimed that such is deemed *treif* –and indeed we must assume that it is *kosher*, for to do otherwise will lead to strife, and would, anyway, be a decree that most people would not be able to abide by (in which case we do not ban the item).

He was not suggesting that one must eat such meat, and he does in fact recommend that the city should certainly seek to monitor all *shechita*, rather his point was that to call what is not from their city, or where its standards are simply not known, '*treif*' was one step too far, and would only lead to *sinas chinum*.

Unforeseen Consequences

What are we to take from this story and *teshuvah*? Well, to my ears, I would suggest the following:

Several years ago I was visiting another city for *shabbos* and by *shalosh seudos* I met a man who recently became *frum*. As he was telling me about his fascinating path to *yiddeshkeit* he informed me that the last thing he took on was *kashrus*. The reason he gave for this startled me. When he was still not *shomer shabbos*, the *mashpia* he was working with let it be known that the *vaad* in that city was '*treif*'. Not yet *frum* –and although desiring to eat kosher –he did not, yet, find it within him to place orders to travelers for meat and prepared food, and so he ate *treif* for about three more years as he was slowly beginning to keep *shabbos* etc.

"But the food we are both eating from right now is under that same *vaad* that you were told was *treif*!" I wondered out loud.

He explained that as he became more entrenched in the *frum* world he became aware that this kosher agency has a fine reputation and the concern from his *mashpia* was regarding debates between respected and accepted *poskim* having to do with bugs in fish and women *mashgichos*.

This should always be on our mind. Our *chumros*, and even how we believe normative *halacha* should be should never lead to someone eating *treif*. This was precisely the *gemara's* concern. If one brings in meat from another city because they do not trust that city's meat or *vaad* (which –short of seeking to fix the *vaad* –would be their right and even obligation to do) , they should at the very least not do so publicly, unless, of course, they believe the meat in town is *halachically treif*. I stress that we are not discussing meat that is not certified by a reliable *posek*.

Another reason to do such personal shopping quietly –or with only like-minded people –is the fear that breaking the '*vaad* monopoly' can lead –and has led –to other denominations, and often less scholarly people, desiring to start their own kosher certification in town.

There have been other concerns relating to outside meat. Historically, there was a tax on most meat purchased in-town. This was so that those who can afford meat would help pay for other *frum* services provided by the community. This may also be one of the sources for the present-day

anti Semitic canard of the 'kosher-tax', a fiction that will should be discussed in a different venue.

Back then, it was seen as an egregious violation of communal living to seek to get around this tax by buying meat from either outside the city or by hiring a *shochet* to slaughter for you under the cover of darkness.

The Chasam Sofer (*yoreh deah* #5) has a lengthy *teshuvah* regarding the ability of a *kehilla* –that has such a tax –to ban all outside meat, and if such a ban applies to even those who protest it right away or who were not there at the time of its proclamation.

Supporting Jewish-Owned Businesses

Finally, there is the issue which comes up most often: what are the limits of supporting a local store if the price is too high, or if one get go to a chain store –not owned by a Jew –and purchase food there for much cheaper?

I am somewhat reticent to give too much information here –as these questions are complicated and need the counsel of one's own *rav* – rather the information provided should be seen as informative only.

Rashi in *parshas* Behar brings from the *midrash* Toras Kohanim that when the *pasuk* (Vayikra 25:14) states, "When you make a sale to another Jew, or make a purchase from another Jew…" it is informing us that one *must* seek to support his/her brethren above all other nations. Some suggest

another, although tenuous, source. Further in that *perek* (25:35) the verse commands "*Ve'he'chasakta Bo*", that we shall strengthen our impoverished brethren. The Rambam famously learns from here that the highest form of charity is supporting another Jew in business.

It may surprise the reader to learn that, whatever the source, neither the Rambam, the Tur, or the Shulchan Aruch mention overtly the obligation to support a Jewish store over a non-Jewish one.

Nevertheless, it is found in important *halachik* writings as a fait - accompli. For example, the Chofetz Chaim writes in his Mishne Berrura (Shaar Hatzion , 648:75) that when large *esrog* distributers should choose wholesale *esrogim* from Jewish farmers/businessman of non-Jewish ones, so long as they are equal in price and quality (see also *shu't* Rama #10*)*

Dayan Weiss (Minchas Yitzchak 3:129) was asked specifically regarding a chain store that was competing with a Jewish-owned shop. For instance, would one be able to buy meat in Pathmark if it is cheaper than what is found by the *frum* butchers in town.

(It should be pointed out that many of the chain-stores give the *frum* managers of their departments a salary based on percentage of earnings, meaning that such a Pathmark would be seen as no different than a Jewish owned store –at least in regards to the concern we are presently discussing).

Although he *paskens* that one would not have to pay a much higher cost just to support a Jew, he does not give an exact system of measuring what that cost would be.

The Minchas Yitzchak adds that there are really two questions: 1) supporting a thriving Jewish store over a thriving non-Jewish store; 2) supporting a struggling Jewish store –or one that will close without more support –over a non-Jewish store.

The latter would be a whole different question, and would certainly fall under the rubric of 'strengthening our impoverished brethren", and one should seek to help him even if the price is relatively much higher.

In such a case, it would seem, that one could deduct whatever extra cost he is incurring from his *ma'aser* or *tzedaka* funds.

However, like the entirely of this Pesach Guide, do not *pasken* from what is written here, rather speak to your own *rav*.

Klal Yisroel is made up by *rachmanim,* and even without all of the above I am confident that most take much more than price and marbling when they choose where to purchase their steaks.

SUGAR, SUGAR: INNOCUOUS INGREDIENT?

While much of the autobiographical Mekor Baruch (by Rabbi Baruch Epstein, d.1941) has been questioned by many and discredited by some, the following is but a parable brought there in the name of the Netziv (Rabbi Naftali Tvi Yehudah Berlin, d. 1893). The parable, I believe, stands on its own.

The king's daughter took seriously ill and was told by the royal doctor that she must eat the meat of a healthy pig to be healed. So the king has a pig slaughtered and afterward has its lungs checked to make sure that it was healthy. Noticing an adhesion, the king advises the butcher to go to the famous Rabbi who specializes in these types of questions. The royal guards take the slaughtered pig with the "*shayla*" (*halachik* question) and hurry to the *rav's* home. When he answers the door they explain the purpose of their visit and their need to determine if "this pig meat is kosher". The rabbi looks at the lung and responds "Had this been a kosher animal I would not have waited to declare 'Kosher, Kosher'. Alas, here, I cannot, in good conscience, say it is kosher, for even if its lungs are 'kosher', *it* is not, rather it is a pig" (see "My Uncle The Netziv" page 129-132). While the purpose of this parable in the Mekor Baruch was to explain that while the Netziv would work, from time to time, with *maskilim* (the 'enlightened'), he was nevertheless reticent to praise them in any way -this same parable, I believe, may also shed light on the world of Kashrus.

HALACHA: CONCERNS & PROHIBITIONS

In kosher manufacturing it is important to separate true Halachik concerns from true Halachik prohibitions. While both are areas critical in maintaining a reliable *hechsher*, understanding this distinction helps the *Rav HaMachshir* (rabbinic head of a kosher organization), and indeed the consumer, make better judgment-calls.

Interestingly many issues that the public feels are concerns are really prohibitions and visa versa.

For instance, I have noticed that some who are unfamiliar with Tractate Avoda Zara or Yoreh Deah think that the institution of Cholev Yisreol is but a *chumra* that was rejected by Rav Moshe Feinstein. In truth it is an indisputable *halacha*. Rav Moshe only came to prove that US milk fits the Talmudic criterion for Cholev Yisroel. The term Chalev 'Stam' was coined to describe this new standard, yet it still, in Rabbi Feinstein's eyes, is considered Cholev Yisroel.

This is an important distinction. For all too often I hear of friends and members going to far off countries for business or vacation with the assumption that all milk in any country is kosher.

On the flip side there are certain ingredients or products that simply do not require a *hashgacha* that many are not aware of. In fact, one cannot avoid this: there are chemicals in our water system (fluoride, etc.) that are

simply not (to my knowledge) being monitored yet are of little or no concern.

SUGAR

Another example may be sugar.

Several months ago I took a trip to Little Rock, Arkansas. The purpose of the visit was not just to visit the Clinton Presidential Library (although I did spend a few hours there; a story for a different time) rather to inspect a new factory to be certified under the BVK (Buffalo Vaad HaKashrus).

The policy of the Vaad is that while we reserve the right to hire outside contractors to make the monthly, yearly or weekly inspections, I must make the initial inspection of any new facility. This is true whether the factory is in Buffalo NY or if it is in Saint-Nicolas, Belgium (again, a story for another time).

The question is: what could be wrong with sugar? In fact I need to justify the need for me personally visiting this plant since each day spent away for the *vaad* takes me away from my duties and presence at the Shul.

There are three common varieties of sugar. a) Granulated Sugar, this is the plain white sugar you put in your coffee. It can be made from either cane or beet. b) Brown Sugar. This is the above, in either a purer form or mixed with molasses. C) Confectionary Sugar, or, Powdered Sugar. This

last type of Sugar is really the same as plain sugar, however it is ground very fine. In addition, to give it flow, it is mixed with cornstarch.

Now, regarding the latter two varieties we can see some concerns. Cornstarch is *kitniyos*. If I were to allow them to label their plain sugar as *Kosher For Pesach* I would have to set up protocol to assure that there is no cross contamination between the production of the Powdered Sugar and the plain. In addition, much of the cornstarch becomes airborne in the plant (when I leave this factory after a visit my black suit magically turns white) and this brings up questions of the laws of *bitul* (nullification) when it comes to *kitnoyos* on Pesach. Interestingly, there are ways to make Kosher For Pesach Powdered Sugar. One can just not add the cornstarch and the Powdered Sugar will look no different, although it may turn to clusters and have a hard time pouring. We once made a Kosher For Pesach Powdered Sugar for a *Chasideshe Hechsher* where instead of cornstarch they added cocoa!

But what may surprise most readers is the fact that plain sugar is not as innocuous as it may seem. When one looks at a bag of plain granulated sugar they will notice that it is one shade of white consistent throughout. Even the biblical *Tzaaras* (commonly translated as Leprosy; see Hirsch Chumash) comes in many shades of the color white. How do sugar manufacturers accomplish this consistency?

Well, this is where it gets interesting; or scary depending on one's vantage point. There is a process called 'Bone Charring'. Using animal

bones as carbon they are able to lay the sugar on a bed causing bleaching to take place.

While few, if any, believe this is a true *halachik* concern –for the animal bones are heated until they turn into charcoal –many vegans have been fighting with the sugar industry for years to move away from this bleaching process.

The policy of the BVK is to allow sugar that is bleached through the Bone Charring process. However, upon request, we can create a private label (lets say for a Kollel Co-Op) that is bone-char free.

While the poskim agree that sugar produced this way is not a concern it does serve as a healthy reminder that even the most innocuous product must always be looked into.

FROM THE WILD WORLD OF KASHRUS: AKO – THE MOST IMPORTANT ORGANIZATION YOU MIGHT HAVE NEVER HEARD OF

DATELINE: TORONTO

To many, the world of *kashrus* is magic. 'Poof!' and there is now an OU on Gatorade. 'Shazam!' and Kraft's vinegars have a *hashgacha* on the label. 'Abracadabra' and 'that' *hechsher,* we are told, is not reliable.

Of course if we think about it for a moment we would come to realize just how much Torah, how many man-hours, and the amount of labor that goes into each and every product that we put into our mouths.

Several weeks ago I attended the conference sponsored by the Association of Kashrus Agencies (AKO), the umbrella group for reliable agencies.

This is like when – *l'havdil* – mafia bosses from different families meet once a year in the back of a meatpacking warehouse to discuss some ground rules that they all can agree on.

There are presently close to 2000 *vaadim*, kosher councils and supervising agencies around the globe, each with their own standards, practices, and *poskim*. There are national agencies, local *vaadim*, and even

hechsherim given out by private, non-*musmachim* individuals. How does one know which standards went into any given product?

Furthermore, due to shipping capabilities and refrigeration it is not at all un-common to be walking down an aisle in a grocery store in Los Angeles and pick up a product made three days ago in Philadelphia, that is certified by a rabbi in Connecticut, who in turn sent a mashgiach living in Baltimore after speaking to his posek who lives in Brooklyn!

The goal of AKO is to have a 'commons', a place where all reliable agencies –*chasidesh* and *litvesh*, *heimesh* and standard - can come to talk openly about concerns, values, and policy. While it would be close to impossible to have one standard across hundreds of agencies, within reason however certain common policies can be set, ideas shared, and frustrations aired.

In addition, there are certain 'new' concerns that arise from time to time regarding which all *rabbanim* and agencies are looking for *hadracha* (guidance). AKO, then, offers a forum for *geonim v'chacahmim* to come and offer their perspective on any given hot-button issue. These are not your average *shiurim* (classes), for the room is packed with *talmidei chachamim* and experts in these areas. This often allows for lively and respectful open dialogue.

This year the conference was held in Toronto and hosted by the COR, Canada's largest *vaad* (once run by my father-in-law, Rav Mordechai Levin

shlita and now headed by Rav Yaakov Felder and Rabbi Shalom Hirsh Adler).

To give the reader some idea of just how many *vaadim* were represented; by one meal I received a text from a congregant asking me if a certain *hechsher* was reliable. I simply turned to the man to my left who was the *rav hamachshir* (head rabbi) of that particular organization and asked him with a smile, "Are you reliable?"

I was fortunate enough to run a panel discussion together with the heads of the OU, OK, Star-K, and two other local *vaadim*, and was lucky enough to sit next to the *belzer dayan*, Rav Eckstein during the other sessions. We have worked together in the past and he is a tremendous *talmud chacham* with vast knowledge of the world of *kashrus*.

Rav Shlomo Miller *shlita* delivered a *shiur* relating to the *kashrus* of medicines, principally children's chewable and liquid medications where the odds of, ostensibly, non-kosher ingredients are high – something that has vexed *rabbanim* for many years. A knowledgeable layman from Baltimore presented a brilliant paper on sherry casks – something that has vexed *kiddush*-clubs for just as long. Slide-show presentations on bug infestation were offered. Tours of complicated kosher facilities were given, with a leading *posek* explaining how certain issues therein should be handled.

There is an old saying "A camel is a horse designed by committee". We all have had the experience of watching our original ideas and innovations that we have brought forth at a meeting become cut and pasted, virtually unrecognizable.

While the above fear has its place so does the need for groupthink and big-table discussion. This is especially true in the world of *kashrus*.

Any system of law that relates to food and its production will be by definition complex and tedious. Even the FDA's (the government's Food and Drug Administration) rules are necessarily tedious. If one were to check online for its laws regarding bottled water, for instance, they would feel overwhelmed. Bug infestation too is something that they must contend with; they allow, for instance, one maggot fragment per square inch of chocolate (!).

But government laws are often unseen outside the industry; *kashrus* on the other hand demands that the consumer too be intimately aware of the principles and directives that guide its production. This can often times, and understandably, cause people to feel overwhelmed, confused or even suspicious.

It is therefore important for the reader to know that *kashrus* is not "just politics", that indeed we seek to work together –with Torah and experience as our guide – so as to benefit the *klal*.

While the sessions at the AKO conference were indispensable, so was the camaraderie offered, and the war stories shared. For instance, when a major *vaad* noticed an OU on a package of camera-film several years ago they contacted the Chinese manufacture who explained, "We were told that to increase our sales in the USA we should have that logo on our product"!

Let us have *hakaras hatov* for, and give the benefit-of-the-doubt to, those who travel around the world and across the *yam hatalmud* so that we can be informed as to what we can eat *al pi haTorah*. The next time we walk into a Shoprite, Tops, or a 7-11, we take should take notice and marvel at the amount of complicated foodstuff that bare a reliable symbol and the hours of work and Torah study that allowed for our amazing American reality.

"FROM EGYPT WITH LOVE"
MY SEDER WITH AN EGYPTIAN TERRORIST

This Pesach story begins in January 2006…in JFK International Airport. I was returning home from a rabbinic conference and had not had a decent night sleep in days. Arriving at the airport terminal all I wanted was a seat and a few minutes of nothingness before my flight. Alas, the place was packed, not one seat was to be had. Leaning up against a wall, I spotted him from the corner of my eye – something was different about this fellow, I thought. Ever since September 11, 2001 - if we are being honest with each other - our paranoia can lead us to convince ourselves that someone boarding or on our flight is up to nefarious activity. Sometimes our imagination runs wild and we are inches away from starting a mutiny on the plane. What was different about this time was that I was right; the man that I feared was up to no good had indeed been trained with the worst terrorist in the world - Ayman Al-Zawaherri who would later go on to infamy as the second in command in Al-Qaeda. This man I was looking at was, at a time, on every watch list –from the United States' to Interpol's. You could not miss him. He had deep, black eyes. He was big, dark, and, most likely, Egyptian. And… he did not take his eyes off me, the one person who was clearly a Jew. I pretended not to notice him. But, then, from the corner of my eye, was he…? Yes! He was coming straight at me! "Excuse me" he began, with a thick Egyptian accent, "I

would like to give you my seat." Nonplussed, I said "No thank you", and turned away. "Please" he persisted, "I insist". I was one of dozens who were stuck without a seat in the terminal, why he chose the man in the black hat to offer his seat to was beyond me. Too nervous to say no, and, simply wanting this exchange to end, I accepted his offer. 'He is probably not even on the same flight as me', I thought. When they finally called my flight to board I saw that he indeed *was* on my flight, and, to my horror, he took his assigned seat right next to me. My heart was pounding.

Sitting down he extended his hand and said "Tawfik Hamid. Pleasure to meet you. Are you a rabbi?"

"Yes I am."

"That is why I offered you my seat in the terminal. Whenever I see a Jew, especially an orthodox one, I go out of my way to help them"

This was starting to get interesting.

"Why?" I asked.

"Because of respect…and guilt. You see, I was once a trained terrorist. I had nothing in my life save for my simplistic interpretations of the Quran. Sometime before 9-11 I saw the error of my ways and repented, became reformed. I now dedicate my life to wiping out radical Islam." In fact he was returning from a trip to Washington where he had been

briefing Capitol Hill. He was now on his way to speak at the University of Buffalo.

The flight could not have been more pleasant – or gone by any faster. We exchanged contact info, he joked that this would make a great commercial for JetBlue (the rabbi and the reformed terrorist befriend each other on their vessel), and we went our separate ways.

Some time passed when I received a phone call from a professor at UB (an Israeli who teaches Hebrew). I knew who she was by name but had never met her. She apologized at the outset, explaining that what she was about to do is highly unorthodox. She explained that she and Dr. Tawfik Hamid were friends and that he expressed a desire to come to my home for the *seder* on Pesach. She was calling to invite herself, her husband, and Dr. Hamid to my home for the *seder*.

Before I go on I should state that there are many *halachik* issues involved in inviting non-Jews to a Seder – indeed to any Yom Tov meal. One should speak to a competent *halachik* authority if such a need should arise.[67]

Now, before he arrived Pesach night, Dr. Hamid may have read about the *seder*, or seen it mimicked in films. I don't think, though, that he was prepared for the hectic night ahead. My wife's entire extended family

[67] This comes up more often than we think. When people are in the process of going through a Gerus, no matter how far along they may be, they have the status of a gentile (save, according to most Poskim, regarding teaching them Torah). One must speak to a Rav about cooking for them on Yom Tov, etc. Relating to Pesach see Siman OHC 477 and MB 4 in the name of Shlah.

was with us, including my in-laws and many, many raucous children *kn'h*. The *seder* was to start at about 8:30 and would likely go until two in the morning.

In addition, my mother-in-law was, reasonably, not keen on this whole idea. We all get reprimanded by our mother-in-laws from time to time but I may be the first to hear, "You invited a terrorist to the *seder*!?!?" My wife too was dubious about the whole thing. I tried to calm their nerves, explaining that it was highly unlikely that this was one long elaborate setup, planned for decades and to be executed in our home[68].

Amazingly, *erev* Pesach, we opened up the Wall Street Journal and there on the OP-Ed page was an article written by our soon to be guest. This calmed all of our nerves[69].

The night of the *seder* came. Dr. Hamid understood his role was that of an observer (he was not served a piece of the *afikomon*, for instance). But he asked questions, good ones. He cried when we sang "*Bchol dor Vador Omdim Aleinu Lachaloseinu – In every generation (our enemies) stand against us to destroy us"*. He marveled at how much of the *seder* revolves around the children, explaining to them, on their level, what we were doing.

When we reached '*shulchan aruch'* (he must have wondered when he will finally get to eat something!) and the kids temporarily put their *hagados*

[68] See however the story that took place in the home of the Ben Ish Chai as brought in the Kaf HaChaim 167:140.

[69] Since that time he has written several columns for the WSJ.

away, Dr. Hamid clasped his hand and with great feeling remarked, "Forget torture; forget Guantánamo Bay. We should force Islamic Radicals to watch what a *seder* is and to see with their own eyes what Judaism is truly about. The beautiful people and faith that they want to wipe out".

While his sentiments were acutely quixotic, such a reflection was astonishing to hear coming from a person with his upbringing and background.

At midnight he apologized and asked to be excused as he had a flight the next morning. I joked, "But the *seder* is about Jews escaping from Egyptians – not the other way around!"

It was a surreal night, but a memorable one, for sure.

In my mind I could not help but juxtapose this peculiar *seder* with another, a few years earlier. In Netanya, in 2002, true terrorists disturbed a communal *seder*, killing 21.

Shehechiyanu, indeed.

On Pesach night we are all commended "to view ourselves as if we ourselves are escaping from Egypt". In our world today – and especially for those living in Eretz Yisreol – this has become less and less of a challenge with each passing year. We must never forget that our survival is eternally and unwaveringly linked to our performance of Torah and

mitzvos. Sometimes we need a reformed terrorist to remind us just how fortunate we are to have this contract with Hashem.

May Gd bless each and every one of us with a *Chag Kosher V'Sameach,* and may we merit the final exodus soon.

The Real 'Kosher Blech'

The Kashrus World Mourns the Death of Rav Zushe Blech

Once when I was a *bachor* home for *bein hazmanim,* a *balla buss* I knew well was behind me in line in Toronto's 'Kosher City' grocery mart.

Like its name implies, this store sold a large variety of everything and anything with a reliable *hashgacha.*

He began to challenge me –in good spirit – regarding the path I had chosen (knowing myself as a *bachur,* I likely started up). Many yeshiva *bochurim* who went home to their communities have had similar experiences, I'm sure. "How are you going to support yourself?" "Are you not going to go to school?" "Don't you think culture is important?"

We had a calm and good-natured back-and-forth until he said something that was not only deeply offensive, but wrong, and for which *chazal* teach is the very definition of *apikorsis* (Sanhedrin 99b; opinion of Rav Yosef).

"While, of course, Torah is vital, at the end of the day what did the Chasam Sofer do for *klal yisroel*? What can those who are just *talmidei chachamim,* who stay in a *beis medras,h* do to improve the needs of the *klal*?"

I don't know if that is an exact quote, but I do remember the Chasam Sofer being used as an example simply because of the ridiculousness of that illustration even in his warped thinking –as the Chasam Sofer was vital in saving Hungarian Jewry!

While I truly believe and hope that he meant to make a more nuanced point, there was something else that struck me as odd, and it was to that which I ultimately responded.

While he was espousing his vindictive views he was unloading his cart of groceries. Onion rings, chips, soda, meat, canned goods, etc. I nodded toward his purchases, and replied.

"Do you have any idea how much Torah went into that bag of potato chips? Why, shouldn't they be considered *bishul akum*?! How about your meat –do you have any idea the Torah that is known to these *shochtim* and their on-site *poskim* who, often, live in remote areas so that you may have a steak? Do you have any idea how many *shailos* come up and need to be resolved just so you can have frozen onion rings?!

"***Do you have any idea the amount of Torah you consume when you eat a bowl of spaghetti***?!"

You see, to many, the world of *kashrus* is magic. 'Poof!' and there is now an OU on Gatorade. 'Shazam!' and Kraft's vinegars have a *hashgacha* on the label. '*Abra-cadabra'* and Welch's grape juice has a limited kosher run.

Of course if we think about it for a moment we would come to realize just how much Torah, how many man-hours, and the amount of labor which goes into each and every product that we put into our mouths.

And all of this work, all of this Torah, often comes from well beyond our personal *techum.* Due to shipping capabilities and refrigeration it is not at all uncommon to be walking down an aisle in a grocery store in Los Angeles and pick up a product made five days ago in Philadelphia, that is certified by a *kashrus* agency based in New York, who in turn sent a *mashgiach* living in Baltimore after speaking to his *posek* who lives in Brooklyn!

We mustn't take our bounty of kosher food in America for granted.

And if there is one individual to whom much research and *chochma* in this field is owed it is to Rav Zushe Blech *z'l.*

Rav Zushe tragically and suddenly passed away last week. He was just 64 years of age.

He was a *kashrus* expert's *kashrus* expert.

He literally 'wrote the book' on *kashrus,* '*Kosher Food Production'*, which I will speak of in a moment.

But I first wish to speak personally about him, as although not from his closest *chaveirim*, I was deeply wounded by his passing.

When I was twenty-five years old I was hired as the *rav* in Buffalo, New York.

Twenty-five is young by any standard. But what made that job even more daunting was that I had to also run the local *vaad*, which began to widen its net in my first few years.

Before I left Lakewood, I read through every *Daf Hakashrus* (OU's kosher periodical and *teshuvos;* edited by Rav Grossman), and every pamphlet and book on modern food production I could get my hands on. I also spent a significant amount of time with my father-in-law, who at the time was running the COR-Canada's largest *vaad*, and the *kashrus* of Toronto, training in the field.

But the world of *kashrus* is endless. Something new always arose. When that would happen, when I needed to speak to someone who knew both the *halacha* cold and the science clear-my father-in-law told me that there was only one man for the job: Rav Zushe Blech.

I was a nobody, and Rav Zushe could have easily not given me the time of day.

But from the first time I reached out to him, he would always make time for me.

Once, in my early years, I naively mentioned to Dr. Regenstein - Cornell's professor of food science, who gives accredited courses there on *kashrus* –that there needs to be a book on *kashrus* for factories and for his classes.

"There is one!" he responded. "'*Kosher Food Production'* by Rav Zushe Blech".

Published by Wiley-Blackwell-and sold at an academic book price-it is *the* book on *kashrus* and its modern challenges –how vinegar is made; production of of dairy, whey, butter, etc; grape products; chemicals and enzymes, the list goes on, and this book covers them all with great breadth and careful wording.

Readers of this booklet have also gained from Rav Zushe's keen intellect and knowledge.

For, whenever I touch upon any particular *halachic* topic I try to send my article and sources to a *talmid chacham,* someone objective to review it before I send it on. I try to find whomever is known to be an expert and knowledgeable in the field about which I am writing.

Whenever I touched upon *kashrus*, I would always review the article with Rav Zushe.

For example, a little later in this booklet we will dedicate space to the fascinating topic of honey production and the concerns with Forest Honey. Rav Zushe's time and breadth of knowledge was invaluable. He asked for and got zero credit, but reviewing our emails on the subject tonight I realize that I could not have written these without his help.

Searching tonight, I found my last correspondence with him. In it one will discover both his breadth of knowledge and how much people like him have helped us all eat what is permissible.

"*Shalom U'Beracha, Kavod HaRav, Shlita!*

"*I hope all is well (and I miss hearing you lein when I am in Monsey!)*

"*I am being interviewed by someone who wishes to know some surprising facts as to the need of Kashuth on seemingly innocuous products.*

"*I was wondering if, over shabbos, or now, you can add to my list. I feel that I might be missing a good one, and there is no greater chacham in this area to turn to than you.*"

By the end of our series of correspondence on this issue, we arrived at the following fascinating (partial) list:

A) Confectionary Sugar Glaze (e.g. shine on chocolate covered almonds) coming from the lac bug.

B) Beaver glands used in artificial vanilla and maple flavor

C) Zinc Stearate used as a release agent in the tiny beads that make up Styrofoam cups, which comes from animals (stearate)

D) The consistent color of white in granulated sugar is created by passing them over charcoal animal bones;

E) Black ink often has squid ink in it, and for this reason, one gum company that I certify (Big League Chew/Ford Gum) can make gumboils that are kosher and engraved with your company logo unless you want it in black!

[This last two are not related to Kosher per se, but come to show that

food is more than meets the eye]

F)Titanium Dioxide in creamer

G) Paper is added to many foods and beverages -they call it cellulose, but it is simply reams of paper, so that they can say ‘A Great Source of Fiber!” (i have to get a release for this last one if you want me to use it)

Yes, *kashrus* is just that complex, and, yes, we owe a great amount of *hakara* to those who dedciate their time so that we may eat without concern.

Rav Zushe revolutionized our knowledge of *kashrus*.

May his *neshama* have an *Aliyah*, and may he be a *meilitz yashar* to his Rebbitzen Vitta, his brother and sisters, and his children and grandchildren.

The Beads That Bind

Styrofoam, Tallow and Your Hot Cup of Joe

Several weeks ago I dedicated this space to discussing the *kashrus* world in general and the life of Rav Blech in particular. He was the *kashrus* expert's *kashrus* export, and was *niftar* suddenly at a relatively young age.

I concluded the column with one of the last discussions I had with him, where we tried to come up with a list of some of the more startling facts about the food industry that would shock the kosher consumer.

We arrived at the following list:

A) Confectionary Sugar Glaze (e.g. shine on chocolate covered almonds) coming from the lac bug

B) Beaver glands used in artificial vanilla and maple flavor

C) Zinc Stearate used as a release agent in the tiny beads that make up Styrofoam cups, which comes from animals (stearate)

D) The consistent color of white in granulated sugar is created by passing them over charcoaled animal bones

E) Black ink may have squid ink in it

The goal here was not to bring the reader alarm, rather to open his eyes to all that goes in to all that he consumes.

Nevertheless, I received a steady stream of feedback after its publication regarding but one item on that list: C) Styrofoam Cups.

I believe most kosher consumers were aware, albeit vaguely, that there is some issue or-another with these cups, and for some my quick reference only awakened their already sleeping curiosity.

One reader wrote to me how a famous *posek* (whose name I will not mention due to my inability to check the veracity of this story) refused a cup of hot tea from his son on his death bed when it was served in a Styrofoam cup!

I promised those that contacted me that I will revisit the issue in a column in the near future.

In order to understand the potential *kashrus* concerns, a quick review of what 'Styrofoam' is would be apt.

'Styrofoam' is actually a trademarked name, like 'Kleenex' for tissues, or Coca-Cola for cola.

In fact, 'Styrofoam' itself was never used for beverages or food. According to the Washington Post (December 18, 2003), Dow Chemical-who owns the name 'Styrofoam'-is not pleased at this confusion.

"We're doing everything we can to make sure that it's used properly," says Tim Lacey, Dow's business director for building solutions in the Americas. "We don't really know why everyone wants to land on the name Styrofoam, and why it serves as something people want to misuse."

The more accurate name for the foamed cups we use is polystyrene, or EXP cups.

These names stem from both the makeup and process behind these cups.

The actual 'stuff' out of which these cups are made are created from a synthetic polymer made from styrene, hence the portmanteau 'polystyrene'.

As for the term EXP, it refers to either *ex*truded or *ex*panded polystyrene.

Now that we understand its name we can better follow its fascinating production.

The polystyrene comes to the factory in tiny granules-maybe the size of course salt.

In the late 1940's companies learnt that if one applies steam to these tiny pellets they will expand to over forty times their size. In addition, they become somewhat fused in their growth to each other.

There are a host of services this discovery could-and does! -provide. From insulation to packing material that protects products during shipment.

EXP cups are produced with the same method, however, before these beads are fully formed they are placed in a cup molder where they are steamed some more.

This forces them to form and shape into the hardened cup we all know so well.

In fact, if you look closely enough at your Styrofoam cup - I mean EXP cup! - you may notice that it is made up by beads.

Among its most beneficial features is that an EXP cup does not get hot to the touch from the outside, allowing one to serve piping hot coffee with a risk of lawsuits.

So far this process seems innocuous enough. However, when it comes to a production of any kind we have to factor in other issues.

Once completed in the mold, these EXP cups need a way to be removed, simply and without breakage.

In order to facilitate this, a release agent is added to the beads to aid its release from the mold upon completion.

This release agent that is used is known as ‘zinc soap’, or Zinc Stearate.

It is made up by Zinc Oxide and Stearic Acid.

Stearic acid is often, and cheaply, derived from beef tallow which is made up of fourteen percent stearic acid.

So now we understand the *halachic* concern. Although it can't be seen, or tasted, and although it serves no further purpose, there is no doubt that a hot beverage served in such a cup or bowl will have some *tarfus* in it!

And even if one wishes to point out that whatever one places in the cup will overwhelm the *treif* thereby being *mevatel* it (nullifying it), we have a rule that one can not nullify on purpose!

Many have written on this topic (see Rav Gavriel Tzinner, *Ohr Yisroel, Teves, 5765*, pages 119-129), and almost all major *poskim* rule that these cups are still fine for use.

Each of the many reasons behind its *lichatchila* allowance are complex, but we will touch on some of them briefly and with extreme brevity:

- The Zinc Stearate is not *nikkar* (visible)
- The above is especially true when no one is now desirous of this tasteless –and by now pointless-*treif* additive.
- *This treif* ingredient itself is a *davar pagum* (putrid thing)

For these, and other reasons not mentioned, one is at worst allowed to nullify this ingredient on purpose and at best the ingredient itself is not a concern to begin with.

Of course, and as we also stress, each reader should speak to their own *posek*. But the rule of *puk chazi mah d'ama devar* (see what the nation does) would indicate a general acceptance of these cups' allowance.

I hope, as with the initial column that started this discussion, this brings the reader renewed recognition to all the great *mashgichim* and *poskim* behind all that we eat…and what we eat it with!

Is Honey Kosher?

The following was not written with psak Halacha in mind, rather for the reader to gain some insight and appreciation for all of the Torah study that goes into kashrus.

I

Meet

'Forest Honey'

"They (the Torah and her Laws) …are sweeter than honey and the drippings of honeycombs"

Tehillim 19:11

Rav Yosef Shlomo Kahanaman, the famed *Ponivzher rav* was once asked what is the one common denominator that can be claimed from all of his travels on behalf of his yeshiva.

He is purported to have responded: "I can share with you two things that one can find anywhere in the world: Coca Cola and Chabad!"

This is no small matter in terms of the kosher food we put down on the table. Often, when a product is produced in a far-off country, the only *mashgiach* available to send is from a nearby Chabad House.

A few weeks ago I received a call from a distinguished head of a major *kashrus* organization. He asked me, “Do you certify ‘Forest Honey’?”

He knew the answer, as he was also holding in his hand a certification of mine from seven-years prior that listed ‘Forest Honey’ among other products under a proprietary name, and certified by us.

The story was that one of the plants that I certify has a side-room where they process and package honey. Several years ago-the time of this certification- they received a request from a new company, asking if they may pay this facility to process and package their raw honey in their plant.

The facility explained that this being a kosher plant they would need to first speak to the rabbi.

After some investigation, in turned out that their honey was being imported from the Congo.

At first, thinking I would have to send a *mashgiach,* I did what virtually every *kashrus* head would do: I Googled ‘Chabad Congo’. And what would you know? I got a result! The Chabad House is located in Kinshasa, Congo!

The *kashrus* administrator on the phone seemed uninterested when I responded by discussing how much oversight plain, raw honey may or

may not need (although, customer beware: honey, especially local honey is often processed in non-dedicated plants).

Rather, he repeated, he was interested in the phrasing for one of the honeys processed in our plant that was listed on our certification- 'Forest Honey'.

When we think of honey we tend to think of bees gathering nectar from flowers.

But that is not always the case. Like with alcohol, that can be produced from any sugar, honey too can be produced by the bee from any sugary substance it picks up.

For this reason, we find a variety of honeys on the market, from 'clover' honey to 'orange blossom' honey.

Connoisseurs can taste the difference. In fact, there are honey connoisseur clubs all over the country, as well as books on the subject, suggesting, like with wine, the best honey to go with which dish!

(There is also another type of honey, about which we will not be touching upon: 'Royal Jelly'. This comes directly from the queen bee, and which is the source for its own *halachik* debate, see *shu't Tzitz Eliezar* 21:59)

In fact, in *lashon kadosh*, Rashi explains that the term '*devash'* is even more all-inclusive, referring to any rich, sweet nectar, mostly from fruits.

Now, none of these popular honeys on the market have any distinction in terms of their *kashrus* status, with some *rabbanim* even allowing such honeys to be purchased without any *hashgacha* (although, this is debatable; everyone should speak to their local *rav*).

However, as mentioned, this *rav* wanted to know specifically about about a more unique type of honey, the aforementioned 'Forest' honey.

This honey actually carries two names: Honeydew Honey and Forest Honey.

This type of honey is now part of a reinvigorated *halachik* debate, with various *kashrus* agencies setting differing policies on how to view it.

Because honey is a popular product and commonly used ingredient, it is important for the reader to be aware of this vociferous discussion now taking place in the world of *kashrus*.

At first blush, Forest Honey seems innocent. It gets its name for the obvious reason in that there are not enough flowers nearby from which the bee can gather its nectar, so instead it gathers it off of trees.

In fact, quite often, this darker, richer honey is sold using the name of the tree from which it likely originated, i.e. 'Pine Honey'. Some honey experts claim that they can even taste from which type of tree the honey came!

The kosher customer, seeing such an item on the grocery store shelf, will likely not think much of this, as with 'Clover' honey.

But, alas, there is *much* to think about.

Although *sounding* innocuous, a highly insignificant portion of the sap that the bees draw from these trees actually come from the tree itself. If so, where does the majority of the sap come from? It comes from something called Honeydew.

Not to be confused with the delicious fruit, this honeydew is something else entirely.

Are you sitting down?

I will quote directly from Wikipidia: "*Honeydew is a sugar-rich sticky liquid, secreted by aphids and some scale insects as they feed on plant sap. When their mouthpart penetrates the phloem, the sugary, high-pressure liquid is forced out of the gut's terminal opening. Honeydew is particularly common as a secretion in hemipteran insects and is often the basis for trophobiosis*."

As for the hemipteran insect –that includes the dreaded aphid and thrip, from which we clean our romaine lettuce!

And, although not the *halachik* focus, the 'high-pressure liquid is forced out of the gut's terminal opening' means precisely what it sounds like.

The sweet honeydew nectar of aphid-like insects has long been known of, and has been the stuff of legends, medicinal claims and poems for centuries.

With this information the reader may walk away thinking that such honey is most certainly *treif*, and he may be right. But, he also may be wrong.

Indeed, why is even flower-nectar honey kosher? Does it not derive from the issue of a bee, a non-kosher creature?!

II

Lac(h) Nisht

"*And the* am *went into the forest, and behold, there was a flow of honey…"* Shmuel 1 14:26

For many centuries, for reasons of water retention as well as for appearing appealing, many fruits are layered with a wax before being sold.

In today's wax market, because wax generally needs a protein, they either use soy or casein - a milk derivative.

Leaving aside the dairy and *cholov stam* issues, most wax also contains something called oleic acid, mainly used as an emulsifier, as well as stearic acid.

These 'fatty acids' can often come from animals.

Putting aside, as well, this potential *treif* issues, another common ingredient in wax is shellac.

Now, shellac is a term many are familiar with, yet few know from where it comes or how it got its name.

Instead of educating you in my own words, I will allow a large fruit growers association do the work for me:

"*Fruit coatings used by the Pacific Northwest tree fruit industry are derived overwhelmingly from two natural sources, carnauba and shellac wax... **Shellac wax is a resin secreted by the lac beetle, found in Asia, on trees to protect its eggs...** No synthetic-based waxes are used on Pacific Northwest apples. Both carnauba and shellac are approved by the U.S. Food and Drug Administration (FDA) as food coatings and have been safely used on produce and other edible products for decades...Pacific Northwest fruit producers recognize that consumers have diverse dietary needs. No waxes are used that are derived from dairy or meat products…'*

Not only do they admit to using shellac, and how it comes from the lac beetle, but they *brag* how they use this instead of synthetics!

The process of taking this secretion to an ingredient in a widely used food product is fascinating in and of itself. Collected from the trees into canvas sacks, one is left with a mix of tree-bark, female lac beetles and the shellac. The canvas bag is then heated over a fire where the shellac liquefies, separates from the bugs and bark and oozes out of the sack.

They then take that liquid and harden into sections to be sold on the market.

How do we get around this serious concern?

Rav Moshe Feinstein, some 50 years ago, dealt with wax, shellac and the lac beetle (*Ig'm yoreh deah* 1:24) and suggested a number of reasons for its permissibility.

This is where the question of shellac and forest honey collide.

To understand his response, we first have to go back to how *chazal* viewed honey.

The *gemara* teaches us the dictum that all food that comes from a non-kosher species is itself non-kosher. For this reason, for example, an egg of a non-kosher bird would automatically be deemed non-kosher.

Basing itself on this principle, the *gemara* wonders (*Bechoros* 7) that honey derived from bees (which are themselves, of course, non-kosher) should be non-kosher in turn!

So, leaving aside forest honey for a moment, it would now seem that *all* honey (and certainly shellac) should be forbidden!

How does the *gemara* gets out of this problem, at least for bee honey? It is important to first understand how *all* bee honey is made, not just forest honey.

A bee will venture as far as four miles to find nectar. Let us assume that she (all worker bees are female) finds sufficient nectar from flowers. It will then stick its long nose, suck up the nectar and temporally swallow it into one of its two stomachs.

Inside the stomach it will mix with special enzymes that will help thicken the nectar and will, eventually, turn it into honey.

But she is not nearly done yet. She will then fly back to the hive and vomit the nectar into the mouth of another bee, and that bee will do the same to another, and so on, all adding more and more enzymes to the recently received nectar.

It is finally evacuated from the last bee inside the honeycomb where it will be covered and slowly thicken into the honey we know and love.

With this is mind, the *gemara* brings two reasons why honey would be allowed.

These two reasons will give us insight into not just the allowance of bee honey, but shellac as well, and perhaps, according to some *rabbanim,* the newly popular forest honey.

III

From Bee or Not From Bee

"Out of the eater comes sweet food and out of the strong came forth sweetness" Shoftim 14

This *pasuk* is the famous '*chidah'* (riddle) of Shimshon with which he challenged to the *pelishtim.* While we do know that Shimshon was referencing a swarm of bees and their honey that he discovered inside the notorious lion he had earlier slain, untangling the riddle's deeper mysteries has been a challenge for centuries.

We are in the midst of a honey riddle of our own, and there could not be a more apropos *pasuk* with which to open this the culmination of our own mystery.

We mentioned above the rule: "*kol hayotzei min hatemei, tamei –all that is derived from a non-kosher species is itself non-kosher"*

So we went from questioning the *kashrus* of forest honey, to showing the *kashrus* concerns of shellac, only to find ourselves back at plant-derived honey and the *gemara* questioning *even that*!

Let us now tie it all together:

The *gemara* (*Bechoros* 7) offers two explanations as to how bee honey, although excreted from a forbidden insect, is indeed kosher.

The first justification comes from the unique production of honey. The *Tana Kama* explains that since honey is not part of the bee itself per se, rather a secretion that it first ingests from an *outside* source, the final product of honey is not deemed a *yotzei* (a secretion) of a *tamei* (non-kosher species).

This is true although a bee does indeed add its own enzymes into the nectar which helps transform the sugars, in time, into recognizable honey, as these bug-additives would not be enough to make it forbidden (see *Tur siman* 81 and *Madenei Yom Tov*, *Bechoros* #90)

If we accept the *Tana Kama's* view as normative, an amazing *heter* emerges: all bugs, or any forbidden species, that secrete matter once injected, even should small quantities of natural additives from the forbidden species be tacked on inside of it, would be permissible for consumptions once secreted. This would seem to allow for not just plain, industrial honey, but honey sourced from honeydew (aphids) as well. For, the aphids' 'honeydew' is also created through a secretion of an insect of a once kosher matter (the sap from the tree drawn out by the aphid) and would therefore itslef be permissible!

This would also be true regarding the secretion of the lac beetle-which we turn into shellac –which is derived in a similar manner from the sap of trees. Although both the aphid and the lac beetle add a little of their own acids and enzymes to the final product, this, like with plain honey, would not be enough to make it *assur*.

Putting it all together: when a honeybee draws nectar from 'honeydew' it would be drawing permissible matter, according to the *Tana Kama.* And, when it is finally secreted into the honeycomb from the forbidden bee, we would simply be relying on the general *sevara* (logic) of honey's allowance.

However, it is not so simple. After quoting the *Tana Kama's* reason for allowing honey, the *gemara* then offers Rav Yaakov's alternative justification for its permissibility. Seemingly rejecting the logic of the *Tana Kama,* Rav Yaakov would ban honey if basing himself solely on *halachik* reasoning. Rather, explains Rav Yaakov, the reason plain honey may be eaten is based on solely on a *pasuk.*

Although one may guess that the allusion in the Torah to honey's acceptability is the fact that *eretz yisroel* is praised as '*…zavas cholev* ***u'devash'*** - the honey referenced there is actually date honey (refer to *Madenei Yom Tov,* ibid.).

Rather Rav Yaakov draws his inference of allowance from a *pasuk* in *vayikra* (11:21) that discusses the kosher types of insects, that are now largely lost to history (save for some Yemenite and Moroccan traditions). The *pasuk* states, "Only ***this*** ('*zeh'*) you may eat from among all flying teeming creatures…" The *pasuk,* and the word '*zeh',* is alluding to the fact that only the creatures themselves were made *assur,* but not what it produces from its body. The *gemara* concludes the lesson of the *pasuk* with the following: "*…and what is 'this' referring to? The honey of bees*"

Now, all of us are aware that because Rav Yaakov, as opposed to the first view, derives his allowance from a *pasuk,* he is limited in its application, as we do not conjecture when dealing with the *mesorah* of *pesukim*.. Indeed the *gemara* states that based on Rav Yaakov's view

honey derived from other insects, like wasps, which bear the name of the forbidden species (e.g. 'wasp honey') would not be allowed, although according to the *Tana Kama* they would.

Conversely, according to the first view, ***any*** insect which secretes a matter largely from an outside source would be, most often, permissible.

The application of these two views to modern times, and to our discussion, is enormous. For, only if we hold like the first view, would honeydew be *kosher.*

However, seemingly, according to the second view in the *gemara*, that of Rav Yaakov, we would not be able to apply the *pasuk* to anything other then to bee honey, no matter their similarity, This would make forest honey, and its cousin shellac, forbidden for consumption.

So, which view is followed in *halacha*? This too is not entirely clear. We find differing views among the *rishonim.* While, for example, the *Rosh* follows the more limiting view of Rav Yaakov, both the *Rambam* (*hil. machalos assuros* 3:3) and *Shulchan Aruch* (*yoreh deah* 81:8 -in his initial view) rule like the more permissive, first view, even extending the *heter* for honey beyond bees, to wasp honey!

Being that we are dealing with *issurei deroiasa* (Biblical concerns)*,* it would seem that we need to rule strictly regarding forest honey, and indeed this is how Rav Wosner ruled in a *teshuvah* published in the Torah journal '*Mesorah'*.

The *oserim* assert that the first step in allowing honey must be that the initial source of nectar is kosher. Even though one may argue that honeydew itself should carry the same permissibility as honey, we can't apply a *pasuk* beyond anything *chazal* inform us about. And even

according to the more permissive view of the *Tana Kama*, it is possible that we may also only apply his allowance to the few items *chazal* spoke of, like wasp honey, but not to extend it to anything and everything similar.

As Rav Herschel Shechter, the *posek* for the Orthodox Union, is quoted as saying: "A bee is not a *mikveh tehoirah* for forbidden foodstuffs (thereby making anything that passes through kosher)"

In this complete article in *Mesorah* (ibid.) written by the *rav* of Lyon, France, there is little room left for allowance.

However, some argue, still, for its permissibility.

They base themselves on a *teshuva* of Rav Moshe Feinstein (*Igros Moshe* 1:24) where he discusses shellac and offers several reasons why it is of no concern.

Now, it is certainly true that some of Rav Moshe's reasons for allowing shellac found in wax and in its own glaze do not apply to forest honey. For example, this that he writes how shellac is *nullified* into the wax and its glaze - whereas by forest honey there is no nullification as we eat the actual matter -, and, that he offers that shellac is not a *'food' item* per se, or that it does not taste edible, but rather serves other purposes -whereas forest honey is sweet and tasty and certainly a food –would be arguments of no consequence to forest honey.

However, one of Rav Moshe's other arguments may indeed apply to forest honey. Explains Rav Moshe that even if we accept the more stringent view of Rav Yaakov, the *Levush* who explains this limiting view to be unique to items with the name of the forbidden species in

them - and *this* is why '**wasp** honey' was disallowed according to his view - otherwise the *pasuk* allows for ***all*** items produced in a similar manner to bee honey!

'Forest honey' would then almost certainly be included in the allowance, according to Rav Moshe.

So here is where we arrive: allowing forest honey would only be acceptable if:

1- we accept the view of the *Shulchan Aruch* and *Rambam*, who follow the *Tana Kama,* as normative. And even then, only if we then extend their view to all items created in a similar process to honey (which many do not to extend it).

2- or, even according to the Rosh and the other *poskim* who are strict like the second, limiting, *pasuk*-based view of Rav Yaakov, if we accept the *Levush's* explanation that the limitation inherent in this view is only activated in substances that carry the name of the forbidden species in it (e.g. '*wasp* honey').

At the end of the day, and certainly by the end of this year, one may simply find that forest honey sold in stores carries only certain *hashgagos.*

This brief monograph should be filed under '*appreciating what goes into kashrus'*. It is also a heavy reminder that just because a group of *hashgachos* are reliable does not mean that they agree on even matters touching upon Biblical law. For this reason, one must have a *morah horah* who can guide them in not just which *hashgoachos* are reliable, but *when* and on which items to be rely on them.

Let us end with an amazing insight that I heard in the name of the Brisker Rav. Rashi tells us (Devarim 1:44) that the Amorim were compared to bees because like bees that die upon stinging, so too the Amroites died after waging war on *klal yisroel*.

The *pasuk* tells us (Tehillim 118:12) "*savavuni k'devorim -They will surround me like bees*". This, explained the Brisker Rav, is a reference to Yishmoel, that will commit suicide in order to bring us harm, just like a bee.

As this prophesy has been painfully borne out, let us hope for its ending (118:14), "*vayehi li l'yeshuah",* when Hashem will provide our ultimate redemption.

May it be soon!

HAVE A HAPPY, RESTFUL & KOSHER PESACH!

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