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Remembering Rabbi Moshe Hauer zt"l

A Life for Klal Yisrael

BY: RABBI MOSHE ELEFANT

Chief Operating Officer and Rabbinic Administrator
OU Kosher

Rabbi Moshe Hauer zt"l

Personal Memories

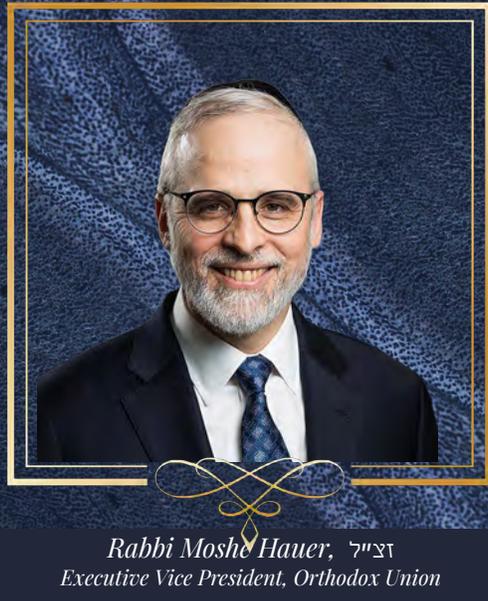
BY: RABBI DOVID HEBER

Kashrus Administrator, Star-K
Rav, KAYTT - Baltimore

On Shemini Atzeres, Klal Yisrael suffered an irreplaceable loss. Rabbi Moshe Hauer zt"l was suddenly niftar at his home in Baltimore following a heart attack. He was merely 60 years old, still in the prime of his years, with so much more to give. When you lose a person of such caliber, the pain is felt throughout the entire Jewish community, because we lost not just a leader, but someone whose entire essence was devoted to serving Klal Yisrael.

My first encounter with Rabbi Hauer was several years ago at a meeting that included Rabbi Genack and myself. We had convened to address what could only be described as an issue of achdus—there was some discord brewing, that needed to be addressed, and Rabbi Hauer wanted to see if he could help make peace. This was quintessential Rabbi Hauer. He did not wait for others to resolve conflicts; he actively sought out opportunities to bring shalom, to bridge divides, and bring Jews together.

When the OU was considering bringing him on board, then-president, Moishe Bane, asked me to meet with him. I was immediately taken by his wisdom, his depth, and his midos. Baruch Hashem, we developed a close relationship and friendship that lasted years. We worked on many



Rabbi Moshe Hauer, זצ"ל
Executive Vice President, Orthodox Union

Much has been said about my dear friend and colleague Rabbi Moshe Hauer zt"l since his sudden passing on Shemini Atzeres. As the shloshim have passed, I would like to share some personal memories.

My relationship with Rabbi Hauer zt"l goes back over 40 years, when we both arrived at Yeshivas Ner Yisroel for Beis Medrash on the very same day. He was coming from the Yeshiva Gedola of Montreal, and I was coming from Telshe Chicago. While we were friends from that time, our relationship deepened considerably years later as Rabbonim in our respective shuls, just two blocks apart on Park Heights

Avenue in Baltimore.

For sixteen consecutive years, we traded places on Tzom Gedalia – Rabbi Hauer came to speak in my shul, and I spoke in his shul. It was a unique opportunity and a meaningful connection for both of us.

As a teacher in WITS Seminary located in his shul, over the past 25 years I was zocheh to gain an even deeper glimpse of his ongoing Torah v'chesed, his care and concern – fully engaged as nosai b'ol im chavairo, and his remarkable Ahavas Yisroel. He was a constant presence there delivering thousands of shiurim on an array of topics – year-round with special lectures on Yomim Tovim - that resonated

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PERFORMING MELACHA REMOTELY ON MOTZEI SHABBOS OR YOMTOV SHEINI

RABBI ELI GERSTEN, RC, P'sak and Policy



Can a mashgiach in Eretz Yisroel remotely turn on a boiler in NY where it is Shabbos to create bishul Yisroel, if for him it is already Motzei Shabbos?

Rav Shlomo Zalman Auerbach zt"l (quoted in Shemiras Shabbos K'Hilchaso 31:28) writes that one may send a fax from a place where it is not Shabbos to a time zone where it is already Shabbos. Even though by doing so he is remotely performing the melacha of kesiva in a place where it is Shabbos, he permits this, since for him it is not Shabbos. This is also the opinion of most poskim including the Chelkas Yaakov (3:106), Teshuvos Bi'tzel Hachochma (3:125), Teshuvos Ohr L'Tzion (1:14) and Revivos Efrayim (8:152) in the name of Rav Elyashiv as well as most other poskim. Rav Belsky as well ruled that this is permitted. Seemingly, the same would apply to remotely turning on a boiler. The logic being that the issur melacha on Shabbos follows the place where the person causing the action is located. If it is not yet Shabbos or if it is already Motzei Shabbos where he is located, there is no issur to do melacha, even though the melacha will take effect in a place where it is Shabbos. It should be noted that although the Chelkas Yaakov was lenient, he writes that one may not have their store remain open in a place where it is Shabbos, even if for them it is not Shabbos, due to maris ayin.

Rav Schachter agreed that this is the accepted halacha, however he has said that if it can be avoided, it is best to avoid doing so. This is because there is an issue of zilzul of Shabbos (disrespect for Shabbos). He compares this to setting up a Shabbos clock before Shabbos to do melacha on Shabbos, which although strictly speaking is not forbidden, Igros Moshe (OC 4:60) writes that one should not do so, as this could cause a zilzul of Shabbos. Rav Moshe writes that if Shabbos clocks were allowed without limitation, one can easily circumvent all melacha restrictions on Shabbos. Therefore, one should only use a Shabbos clock for those melachos which are absolutely necessary and will enhance Shabbos, such as turning on lights. Certainly, sending a fax (or performing other melachos) to a place where it is already Shabbos, could be viewed as a zilzul of Shabbos. Sefer Chaishev Ha'efod (3:86) goes even further. He writes that one should not

permit doing melacha remotely in a time zone where it is already Shabbos, since this type of conduct can easily lead to "issurim chamurim".

If there is an emergency situation and by lighting the boiler remotely from Israel, a michshol can be averted, then it would seem that all would agree that this should be done. However, if this can wait until after Shabbos in NY, then it is proper to wait.

Scenario: A factory in Idaho that is OU certified would like to kasher their kettles on Yomtov Sheini. Kashering the factory requires supervision of a mashgiach. Can a mashgiach in Israel video conference with the company and supervise the kashering?

If this factory is not in the techum of a Jewish community (e.g. it is located somewhere out in Idaho), then one would think that this certainly would be permitted. Shulchan Aruch (OC 496:3) writes that a "ben Eretz Yisroel" who is visiting chutz l'aretz may not do melacha on Yomtov Sheini once he enters the Yishuv (within the techum of a Jewish community). The Mishnah Berurah (496:9) explains that this is because, one is obligated to follow the local minhagim of the place where he is visiting. Chazal instituted this practice to avoid machlokes. However, if he has not yet entered the Yishuv, since there is no local minhag, he may do melacha on Yomtov Sheini. Since even if the ben Eretz Yisroel was actually standing in the factory (in Idaho), he would be permitted to do melacha, certainly if he is sitting in Yerushalayim, this should be permitted.

However, Rav Schachter said that this is incorrect. Since the mashgiach in Israel is an employee of the OU, he is acting as our shliach. Since according to many poskim (see Sharei Teshuva 496:3) a ben chutz l'aretz may not ask a ben Eretz Yisroel to do melacha for him on Yomtov sheini, (even if they are both in Eretz Yisroel), we cannot arrange for a mashgiach in Israel to supervise the kashering. Rav Schachter explained that this is different than the previous case involving melacha on Motzei Shabbos. There, had the ben chutz l'aretz been in Eretz Yisroel, he too could

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do melacha on Motzei Shabbos. Rav Shlomo Zalman Auerbach zt"l (Minchas Shlomo 1:19:3) writes the same sevara. Furthermore, in our case, since he is lighting the boiler to avert a michshol, he is doing so on behalf of all of K'lal Yisroel, and not only as a shliach of the OU. However, regarding kashering a factory on Yomtov Sheini, since the ben chutz l'aretz who is hiring him, even if he would be in Eretz Yisroel, he could not do this melacha, he may not ask the mashgiach to do this on his behalf.

The Dovev Meisharim (3:83) discusses a similar case regarding a Jew in chutz l'aretz who owns a business in Eretz Yisroel. He writes that the business must be closed on Yomtov Sheini, even though it is chol for the Israelis who work in the business. He explains that since they are working on behalf of the owner in chutz l'aretz, they are his shiluchim and cannot do melacha on his behalf. He points out that although regarding one who made early Shabbos, he is permitted to ask someone who was not yet mikabel Shabbos to do melacha on his behalf (see Shulchan Aruch OC 263:17), he explains based on Shulchan Aruch Ha'Rav (Kuntres Acharon 263:8) that this leniency does not apply to Yomtov Sheini. When someone is mikabel early Shabbos, since this was of his own doing, we can say that he was only mikabel not to do melachos himself, but he was not mikabel regarding the shlichus of others. However, Yomtov Sheini, since it is due to sfeika d'yoma (and not optional), he may not ask a Jew to do melacha for him.

Another application would be creating pas Yisroel in a non-Jewish bakery in Europe on Yomtov sheini. The OU in the United States should not schedule a mashgiach from Eretz Yisroel to visit this bakery on Yomtov sheini (or even remotely start the ovens) for a Pas Yisroel run. Although the mashgiach can do melacha on Yomtov sheini (so long as he does not enter the techum of a Jewish community), his lighting the oven is an act of shelichus for the OU which is not allowed.

Rabbi Moshe Hauer zt"l

Personal Memories

BY: RABBI DOVID HEBER
Kashrus Administrator, Star-K; Rav, KAYTT-Baltimore

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with men and women of all ages and backgrounds. I observed in the hallway of his shul Kollel yungeleit, who I knew well, coming and going, who he mentored, spending time developing their rabbinic skills, giving them the opportunity to observe him in action. Many of these talmidim are today Rabbanim themselves, proudly following in the illustrious footsteps of their Rebbi zt"l.

Rabbi Hauer was particularly adept in relating to his fellow man. We were all familiar with his trademark gentle, calm tone, and his messages were always rooted in a Torah perspective, succinct and to the point. He connected to people beautifully, both in times of simcha and, r"l, in times of difficulty. He possessed a rare ability to understand complex issues, to devise solutions, and to galvanize people to follow his lead. Through his vision and guidance, he elevated the level of Torah, Avodah, and Gemilus Chasadim throughout our community. I attended many meetings with Rabbi Hauer and personally saw how he defined the word "avreich" – Av B'chachma v'rach b'shahim - "old" in wisdom despite being young in years. Later, at the Orthodox Union, he continued to utilize those same skills to assist Yidden worldwide, leaving a tangible and lasting impact.

I was privileged to see a beautiful scene yearly on Yom Kippur night. Typically, our shul finished shortly before Rabbi Hauer's and as I walked home and passed his shul, I saw a vast crowd exiting the shul. The group included all ages, including the elderly assisted by canes or walkers. It was apparent from their faces that they had just been inspired by Rabbi Hauer's beautiful davening and divrei hisorerus. I was touched by this "mee k'amcha Yisroel" moment and in the following years I hoped that the timing would work out again to see this "hailigeh" moment.

Rabbi Hauer and ybl"c his Rebbetzin raised a beautiful family of Yirei Shamayim, marbitzei Torah, and baalei midos who continue the mission of their parents – in several communities in America and in Eretz Yisroel. Despite his busy schedule as a Rav and at the OU he never lost sight of what was most important to him – his family. I recall him once commenting, "As a Rav, no matter how busy the day may have been, I always made every effort to be home with my family for supper every night". His sense of priorities was readily apparent.

People throughout Baltimore and all over the world continue to mourn the loss of such a special person who was indeed "larger than life".

Yehi Zichro Baruch.

Remembering Rabbi Moshe Hauer zt"l

A Life for Klal Yisrael

BY: RABBI MOSHE ELEFANT

Chief Operating Officer and Rabbinic Administrator, OU Kosher

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things together, collaborated on countless projects. Our last actual conversation was Erev Rosh Hashana, but even after Yom Tov, he was still texting me questions in kashrus—that's the kind of person he was, always thinking, always working, always trying to strengthen Torah and halacha.

To understand who Rabbi Hauer was, you have to understand the choice he made. He gave up his position as Rav of a very prominent shul in Baltimore—where he had tremendous success and was beloved by his kehilla. And for what? So he could come to the OU and serve Klal Yisrael on a broader scale. This wasn't a career move or a step up the ladder of honor. This was a reflection of his desire to give more to Jews everywhere. That's what drove every decision he made: "How can I do more for Klal Yisrael?"

He was a man of truth of the highest order, a person of profound integrity and deep conviction. But what truly set Rabbi Hauer apart—and this is something we don't see often enough today—was his constant feeling for every single Jew. He didn't compartmentalize. He didn't just care about one segment or one hashkafa. His sense of responsibility extended to all of Klal Yisrael, and his ahavas Yisrael was real and palpable. You could see it on his face during these past two years especially with the war in Eretz Yisroel. When Klal Yisrael was hurting, he was hurting.

One memory stands out particularly. We traveled together to Europe for an All Daf siyum on Maseches Yevamos in the United Kingdom. What a privilege it was to spend that time with him! Despite holding a prestigious position of leadership, he never projected arrogance or superiority. On the contrary, he related to everyone as equals. It did not matter if you were a gadol or a simple Jew; he showed the same derech erez to everyone.

The last time I heard him speak in public was at the OU's Professional Leadership retreat, and I want to share what he said there because it encapsulates his entire approach to life. He quoted his wife's grandfather, Rabbi Alexander Rosenberg zt"l, the legendary Rabbinic Administrator of OU Kosher from 1950 to 1972, who had a mantra that he would constantly repeat: "Ober vus viltz G-T?"—But what does Hashem want? This was not just a nice thought for Rabbi Hauer to share at a speech. This was his way of life, the lens through which he viewed every decision.

Yehi zichro baruch.

תנצב"ה

Mazal Tov!

מזל טוב!

To our devoted Rabbinic Coordinator, **Rabbi Daniel Nosenchuk** and his wife, on the marriage of their son, Baruch, to Leah Skaist of Baltimore.

To our dedicated IT Specialist, **Michael Szpilzinger** and his wife on the engagement of their son Menachem to Malky Kowalksy of Clifton, NJ.

Condolences

המקום ינחם

To the family of former NCSY Kashrus Liaison, **Rabbi Meier Brueckheimer** z"l on his passing.

To the family of OU Executive Vice President, **Rabbi Moshe Hauer** zt"l on his sudden petirah.

To our RFR in California, **Rabbi Abish** Rand on the loss of his father R' Yosef Moshe Rand, z"l.

To our RFR in Ottawa, Ontario, Canada, **Rabbi Levy Teitelbaum**, on the passing of his mother, Mrs. Sarah Teitelbaum, a"h.

The Ingredient Panel

Malted Barley & Yoshon

PART I

BY RABBI GAVRIEL PRICE, RC, INGREDIENTS



I recently had the privilege of visiting several facilities in Montana to learn about barley malting:

When a barley grain is planted in moist soil, an extraordinary set of biological processes occur that result in the grain essentially

giving birth to a new stalk of barley. The moisture activates specific enzymes native to the barley grain, which break down starch to yield sugar. This sugar provides energy to the germ – the embryo – to grow, otherwise known as germination. A single germinated barley grain results in the growth of a new stalk. A stalk gives rise to an ear of barley, and each ear yields 24 grains.

If we could dig into the soil and recover the barley grain just after the start of germination, we would discover that grain has an abundance of active enzymes that begin the breakdown of starch into sugar. This grain would not only have pleasant sensory properties – slight sweet because of the sugar – but is also poised to release more enzymes and more sugar, through fermentation. That brewers and bakers have taken advantage of this since time immemorial.

Barley malting is a process that essentially mimics the natural steps of germination. The world malted barley for its role in brewing beer, as well as its unique ability to break down starches of other grain, such as corn and rye, in whiskey production. Grain millers have discovered that adding even one/one thousandth of malted barley to standard wheat flour can improve the baking process. Furthermore, the nutty, mildly sweet, toasty taste of malted barley explains why it's added

to products like Grape Nuts and Corn Flakes.

Malted barley, is also an important grain as relates to the restriction of yoshon. Can malted barley be chadash and, if so, at what point in the year should we be concerned about it first becoming integrated into the supply chain?

Winter Crop or Spring Crop

The first question about grain is whether it is from the winter or spring crop. Winter crop means the grain has been planted prior to the onset of winter and is, by definition, yoshon (that is, the grain was planted at least three days¹ and, according to some opinions, two weeks², before the Omer, or the second day of Pesach). A spring crop means the grain was planted only after the freeze of winter has ceased, leaving the soil moist and hospitable to new growth. Waiting too late in the spring courts the possibility that the soil will dry up, reducing the support the soil will provide for germination.

In the United States, barley is generally a spring crop.

The Omer typically falls sometime in April. If the winter ends early – say early March – then farmers will plant, accordingly. If the winter extends longer – through April then the farmers will plant relatively late.

Montana is geographically diverse; in the southern part of Montana, where it is relatively warm, the planting may begin in early March. In the north, the winter extends longer, and the planting must finish by May. Accordingly, it is conceivable that barley grain in Montana from the spring crop can be planted before the Omer.

What is the likelihood? Planting time on a specific farm is not public information. However, the

USDA's National Agricultural Statistics Service (NASS) publishes week-by-week estimations of crop that has been planted at any point in the season, per state. (This information is helpful to grain distributors and processors, who need to plan storage and make other strategic decision). This information can be obtained through the NASS website: <https://esmis.nal.usda.gov/publication/crop-progress>

Now, let us trace the career of this newly planted barley, from farm to fork, with an eye on what time of year it gets to that destination.

Harvest

Numerous factors determine the harvest time of barley. It can be as early as July, but more commonly harvest for barley is sometime in August. After harvest, there is a four-week ripening process, in which the barley "sweats". After "the sweat", the very first of the barley harvest is ready to be shipped to the maltster.

Duration of the Malting Process

The malting process itself consists of three steps which takes approximately 10 days: (1) steeping the barley in water (one-two days), (2) transferring the barley to a humid environment that allows for controlled germination (about five days), and (3) drying the barley in a kiln (two days).

It is conceivable that barley from the 2025 spring crop is malted in October, and shipped to the maltster's customer sometime that month.

Storage Considerations

The October ready-to-go date from the 2025 crop is theoretical. A plant manager at a massive malting facility told me that even well into October, his company remained "long" on barley. This means that the maltster was still processing barley from the 2024 harvest. Let us examine one possibility of why this should be the case.

The barley harvested in late summer lasts about 12 months, or until the next harvest is ready. Accordingly, if the first of the harvest ships to the malting facility in October, then by the next October the crop is depleted. In November and December, the maltster is mainly processing mainly the new crop (planted earlier that spring).

However, there is still an important factor, that barley – like many other grains – can be stored for long periods of time prior to being malted and remain high quality. Why would a farmer, or distributor, store barley after a harvest? If the price of barley at the time of harvest is unfavorable, the main reason a farmer has to sell his barley (other than honoring his contracts for delivery) is that he does not have storage capacity. However, if he does have storage he will wait until a more favorable price. From what I have read of agricultural reports, it seems that the prices in 2024 were in fact low – which could explain why the why the Montana maltster I met told me that they remained long on 2024 barley.

The point is that while there are certainly patterns in the agricultural supply chain, it is worth appreciating that the market presents uncertainties that play important roles in determining when an item may first become chadash.

At what time of year malted barley from the spring crop first makes its way in retail products like beer, Grape Nuts, Corn Flakes, or other products chadash is the subject of the next installment.

1 SHACH, YD 283, 2
2 NEKUDAS HAKESEF (IBID.), 3



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