

THE Daf HaKASHRUS



A MONTHLY NEWSLETTER FOR THE OU RABBINIC FIELD REPRESENTATIVE

HI-TECH KITCHEN APPLIANCES

Navigating their use on Shabbos- OU Certifies Plug-in Device by Zman Technologies...

RABBI ELI GERSTEN

RC Recorder of OU Psak and Policy

TECHNOLOGY has changed dramatically over the last 30 years and with that, its application in home appliances, such as refrigerators. What was once merely a question of indirectly activating a compressor on Shabbos, which many leading poskim permitted, is now considerably more complex. Today, opening a refrigerator may activate

the automatic defrost system, which is controlled by microprocessors and door sensors. This is a more serious concern on shabbos, even though the *melacha* is unintentional.

Because of the complexities of these newer appliances, and the uncertainty as to how each one operates, the OU poskim have recommended using a timer when opening the refrigerator door on Shabbos, to avoid any concerns of chilul Shabbos. Rav Belsky zt"l researched this well and was aware of these



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POWDERED MILK

RABBI ELI GERSTEN

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Chadash, but would be forbidden according to Chasam Sofer. However, Igeros Moshe (Yoreh Deah 47-49) ruled that the system of government inspections that is in place in America creates an acceptable *annan sabadi* (equivalent of witnesses inspecting the milking), and therefore *chalav* HaCompanies in America is permitted even according to Chasam Sofer. Igeros Moshe concludes that although one is permitted to drink *chalav* HaCompanies, however a *yarei shamayim* should only drink *chalav Yisroel*. There are many individuals who take a middle approach. Regarding liquid milk, they are *makpid* to only drink *chalav yisroel*, but they are lenient regarding products that contain powdered milk. This distinction is based on the ruling of Har Tzvi (Yoreh Deah 103-14). To better understand this ruling, let us take a step back and analyze butter.

BUTTER

Shulchan Aruch (Yoreh Deah 115:3) writes that *chemas akum* (butter made by a non-Jew) was not included in the *gezeira* of *chalav akum*. Shach (115:27) explains that Chazal were not *gozeir* on butter and there is no reason to suspect that *chalav tamei* was added, since *chalav tamei aino o'maid* (does not readily congeal into butter). Nevertheless, Shulchan Aruch notes that there are various minhagim as to whether one may eat *chemas akum*. Some have the minhag to eat *chemas akum*. Some will not eat *chemas akum*, because of the possibility that it might include *tzichtzuchei chalav* (droplets of milk that were not converted into butter). Shulchan Aruch writes that one who does not have a minhag may eat *chemas akum* after it has been cooked, since the cooking evaporates most of the *tzichtzuchei chalav*.

Rema (Yoreh Deah 115:1) writes that even those that have the minhag not to eat *chemas akum* agree that if *chemas akum* was cooked in a pot, there is no need to kasher the pot. Also if *chemas akum*



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KASHRUS ALERT

The Orthodox Union does not certify **KROGER CANNED CHOPPED COLLARD GREENS AND CANNED CHOPPED TURNIP GREENS** produced by The Kroger Co., Cincinnati OH. Some labels were printed with an unauthorized © symbol. Corrective measures are being implemented.

The Orthodox Union does not certify **HANNAFORD FROZEN SPINACH** produced by Hannaford, Scarborough ME. Some packaging was printed with an unauthorized © symbol. Corrective actions are being implemented.

The Orthodox Union does not certify **LAZZARONI AMARETTI COOKIE SNAPS** produced by Casalini SRL, Roccafranca Italy. Some bags were printed with an unauthorized © symbol. Corrective actions are being implemented.

The Orthodox Union does not certify **MONARCH CANNED FRUIT COCKTAIL IN HEAVY SYRUP** produced by Monarch International, San Ramon CA. This product contains carmine, a food coloring that is not considered kosher by the Orthodox Union. Some cans were printed with an unauthorized © symbol. This product was sold in Panama and possibly other locations. Corrective actions have been implemented.

Some bags of **GEFEN CHULENT MIX** produced by Gefen Foods, Bayonne NJ with the UPC# 710069035003 and with a Best By dates ranging from 8/18 to 10/18 were found to contain insects. The Orthodox Union and Gefen requested that possibly affected product should be withdrawn from the marketplace and corrective actions are being implemented. Under proper storage conditions, it is unusual to find infestation in these products sold in the United States. The kashrus procedures at Gefen meet the highest kashrus standards. However, consumers should be aware that legumes and grains could develop infestation when stored in warm conditions. To determine whether legumes or grains are possibly affected, spread them evenly on a white surface and visually inspect them under good light prior to use.



KASHRUS ADVISORY

The Orthodox Union certifies **PLANTER'S ALMOND LOVER'S MEDLEY** produced by Kraft Heinz Foods Company as an OU Pareve product. Some labels for the 2lb 5 oz containers were printed without the © symbol. Corrective actions have been implemented.

CONDOLANCES

our dedicated RFR in Chico, California, **RABBI MENDY ZWEIBEL**, on the recent loss of his esteemed father Rav Elimelech Zweibel. His father was an outstanding Talmud Chacham who taught in the Lubavitch Yeshiva in Morristown, NJ for fifty years.

המקום ירחם אתכם בתוך שאר אבלי ציון וירושלים

HI-TECH

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issues, as is yb"l Rav Schachter Shlit"a. They are both of the opinion that it is preferable to use a timer with newer refrigerators to avoid all questions of chilul Shabbos.

Furthermore, even with older refrigerators it is recommended to use a timer because some of the older models may also have areas of concern. An automated timer device is available from Zman Technologies, which was designed under the guidance of Rav Belsky zt"l and yb"l Rav Schachter Shlit"a. The device is OU certified to ensure proper Shabbos observance. The device acts like a plug-in Shabbos clock and turns the refrigerator on and off throughout Shabbos in cycles. When the power is off, the door may be opened and there is no concern of chilul Shabbos. An attached LED green light / red light module indicates when the refrigerator door may be opened. The device maintains a 35 year calendar, so once it is set-up, there is no need to reset it again. It will activate automatically every erev Shabbos and Yomtov.

The device is currently GE certified for use with many GE refrigerators and is still undergoing further evaluation for certification with its newest models as well.

The timer is available for purchase at www.zmantechologies.com and distributors throughout N.Y. and N.J.



PLEASE NOTE

NEW TRAVEL POLICY

1. Whenever a member of Kashrut department arranges flights, car rental or hotel accommodation, he/she must give to Murray Travel a ticket number or numbers which must be incorporated on the individual itinerary.
2. For each day of travel at least one ticket number must be listed.
3. Rabbinic Coordinators & field Mashgichim will not be permitted to travel unless ticket number is provided in advance by OU HQ. In most cases, this ticket number is issued before next scheduled inspection and is available on OUDirect.org
4. It is OU's intention to commence this project as soon as possible.

Thanking you in anticipation,
Rabbi Michael M. Morris, *Director of Field Operations*



to our dedicated RFR in China **RABBI ELIE GREENBLATT AND HIS FAMILY** on the Bar Mitzva of their son Aharon in Yerusholayim.

to our devoted RFR in Baltimore, MD **RABBI RICHARD LEVINE, HIS WIFE** and family on the engagement of their son Eliezer Levine to Sima Greenblatt daughter of Rabbi Akiva and Chavi Greenblatt of Baltimore.

to our dedicated RFR in Belgium **RABBI YISROEL HOLLANDER AND HIS WIFE** on the marriage of their son Yankel to Tsiri Zorger.

OU KOSHER HALACHA YOMIS - CHANUKAH

WHICH COMES FIRST ON MOTZA'AI SHABBOS, CHANUKAH LIGHTS OR HAVDALLAH?

There is a dispute among the poskim concerning this question. Normally, in selecting the sequence of two mitzvot we are guided by the principle of *tadir v'she'eino tadir – tadir kodem* (the more frequent mitzvah is performed first). As such, the Taz (681:1) rules that Havdallah is recited first because it is the more frequently performed mitzvah. The Biur Halacha (ibid.) quotes many *acharonim* who agree with the Taz including the Maharal MiPrague, the Tosfos Yom Tov and the Pri Chodosh. This was also the custom of the Chazon Ish (Sefer Hilchos Chanukah, p.44 footnote 46). However, the Mechaber and the Rama (681:2), followed by the Magen Avraham, Eliyahu Raba and Gra (see Biur Halacha ibid.), maintain that Ner Chanukah comes first. Their rationale is that delaying the departure of Shabbos is more important than the principle of *tadir*. A second reason to prioritize Chanukah is that one performs Pirsumei Nisa (publicizing the miracle) with the kindling of the Chanukah lights.

In Shul, the accepted minhag is to light Chanukah lights first (Mishna Berura and Biur Halacha, ibid.). Possibly, this is because the great Pirsumei Nisa for an entire shul is very significant (see Aruch HaShulchan 681:2). At home one should follow his own minhag since there is a valid basis for both viewpoints (MB and BH, ibid.). If one has no minhag, he can choose what to do since both are valid minhagim (see end of Biur Halacha, ibid., in the name of the Pri Megadim).

It should be noted that one is prohibited from doing any melachah after Shabbos, even if Shabbos has concluded, until he recites Ata Chonantanu in Shmoneh Esrei. If he forgot to say Ata Chonantanu, he should say the words *Baruch hamvdel bein kodesh v'chol* before lighting (MB 681:2).

MAY I BAKE AND COOK WHILE THE NEIROS CHANUKAH ARE BURNING?

Women have a custom not to do melacha (physical labor; see below) while the Chanukah lights are burning (Mechaber O.C. 670:1). While there are places where the men also have this minhag (Mishna Berura 670:3) it is mainly practiced by women. The reason for this is that women in particular benefited from the defeat of the enemy since they were released from an evil decree which specifically targeted women (Kitzur Shulchan Aruch 139:3). In addition, the miracle of Chanukah came through the hands of Yehudis, the daughter of Yochanan the Kohen Gadol, who killed the evil Greek governor and caused his troops to panic and flee (Rama 670:2 and MB ibid.).

Many poskim say that only work such as sewing and laundry may not be done but food preparation such as baking and cooking are permitted. Rav Belsky zt"l was of the opinion that the minhag includes work related to food preparation as well (Piskei Halacha, Vol. 1, p. 119). This opinion is shared by Rav Chaim Kanievsky shlita (Shiurei Halacha Minhagei Chanukah p. 3 quoting Sefer Yimei Chanukah p. 39). His reasoning is that since this minhag is only practiced for the half hour the Chanukah lights are required to burn, it would only be apparent if there was a cessation of all physical labor during that short time period. Since we are only discussing a minhag, one who has no definite custom can rely on those who are lenient (Shiurei Halacha Minhagei Chanukah p.4).



WHAT IS THE REASON THAT CHILDREN RECEIVE CHANUKAH GELT, SPECIAL MONETARY GIFTS ON CHANUKAH? WHY DO SOME HAVE A CUSTOM TO GIVE CHANUKAH GELT ONLY ON THE 5TH NIGHT OF CHANUKAH?

The word Chanukah is related to the word chinuch (education). The Greeks wanted to make us forget our holy Torah. When they were defeated, it was necessary to begin reeducating the Jewish people, especially the children. Monetary gifts were given to the children with the intention of strengthening their love of Torah. As a reminder of these past events it has become a tradition to give monetary gifts during Chanukah to our precious children (Sifsei Chaim, Moadim vol. 2, p.134 in the name of the Ponovizher Rav zt"l).

Rav Yaakov Kamenetsky zt"l offered a slightly different explanation. Initially the minhag was to give a monetary gift to the child's rebbe on Chanukah because he played an integral role in the chinuch process. Subsequently, the custom evolved and the "delivery boy" was given a gift as well (Emes L'Yaakov Siman 670 in the footnote).

Rav Belsky zt"l related that Rav Yaakov Kamenetsky zt"l used to give money to his children on the fifth night of Chanukah (see Piskei Halacha Vol. 1 p. 120). Many choose the fifth night for Chanukah Gelt distribution since this night can never fall on Shabbos, when the distribution of money would be prohibited.

WHAT SUBSTANCES MAY A CHANUKAH MENORAH CONSIST OF? DO I NEED A MENORAH OR CAN CANDLES BE CONNECTED DIRECTLY TO A SURFACE SUCH AS A LEDGE?

In the Kaf HaChaim (673:60) Rav Yaakov Chaim Sofer (1870 – 1939) listed fifteen common substances that may be used for a Chanukah Menorah. The top three are gold, silver and copper. Further down on the list we find non-metallic substances such as glass, wood and china. One should obtain a beautiful menorah, to the best of his ability (Mishna Berurah 673:28). Egg shells, hollowed out potatoes, lemons and other fruits and vegetables may not be used in place of an oil menorah as this degrades the mitzvah (Kaf HaChaim 673:61-62). All permitted substances must be able to stand on their own accord without being propped up (ibid 673:60).

Wax candles do not need to be placed into a menorah or other vessel. They may be connected to a surface such as a wall or a ledge (see Mishna Berurah 671:18).

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was mixed into a food, it is batel b'rov (see Shach 115:17). The reason for this leniency is because *chemas akum* is inherently kosher. The only concern (for those who have the minhag to be machmir) is due to the tiny droplets of milk. These tiny droplets are too minimal to give any *ta'am* into the pot or to *assur b'taaruvos*.

The Beis Yosef (115:end) writes that if a Yisroel purchases *chalav akum* and turns it into butter, the butter remains forbidden, since this milk was already included in the *gezeira* of *chalav akum*. *Chemas akum* is only permitted if a non-Jew changed it into butter before it was *ba li'yad* Yisroel (purchased by a Jew). The Chasam Sofer (Y.D. 107) explains that Chazal were not *gozeir* on milk products, provided that they were changed into another form before they were *ba l'yad* Yisroel. For this same reason, Chasam Sofer explains, cheese made by a non-Jew, although it is made from milk, was not included in the *gezeira* of *chalav akum*. Chazal required a new *gezeira* to forbid *gevinas akum*, because of the possibility of non-kosher rennet. Milk that was changed into cheese before it was *ba l'yad* yisroel was not included in the *gezeira* of *chalav akum*.

PASTRIES WITH MILK

In addition to butter and cheese, are there other situations where milk changes into another form, and the *gezeira* of *chalav akum* would no longer apply? Chasam Sofer (Y.D. 107) writes that if a non-Jew baked pastries which had milk as an ingredient, there is a *sevara* to say that since the milk was changed into another form, perhaps the *gezeira* of *chalav akum* would not apply. Once we need not be concerned with the special *gezeira* of *chalav akum*, even those who disagree with the Pri Chadash may rely on the *sevaras* that in cities where there is no *chalav tamei*, one need not be concerned. However, Chasam Sofer rejects this position. We view the milk as being present as an ingredient in the pastry. Unlike butter and cheese, the milk in the pastry did not really change into something else.

POWDERED MILK

Har Tzvi (Yoreh De'ah 103-104) ruled that powdered milk is viewed as a significant change in form, akin to making butter. Since the change takes place before it is *ba l'yad* Yisroel, the *gezeira* of *chalav akum* does not apply to powdered milk. Once we need not be concerned with the special *gezeira* of

chalav akum, even those who disagree with the Pri Chadash may rely on the *sevaras* that where *chalav tamei* is not available, and there are government inspectors that do not allow *chalav tamei* to be added, powdered milk is permitted.

This leniency of Har Tzvi regarding powdered milk would seemingly disagree with the earlier ruling of Chasam Sofer regarding milk in a pastry. It is difficult to argue that powdered milk is a greater change in form than turning liquid milk into a dry cookie.

The OU does not consider powdered milk to have the status equivalent of *chalav* Yisroel, but rather it would be like *chalav* HaCompanies (i.e. regular OU-D). However, the OU often receives inquiries from consumers who follow the ruling of Har Tzvi. They are seeking information as to whether a product was made with liquid milk or powdered milk. Often times the OU cannot respond because of confidentiality. However, based on the above analysis, it would seem to the author that dry products made with liquid milk would have the same status as powdered milk. There should be no difference between turning liquid milk to a dry state as a standalone product or turning it into a dry cookie, cereal, or energy bar. ■

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HALACHA

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I AM A GUEST IN SOMEONE'S HOUSE FOR A FEW DAYS DURING CHANUKAH. HOW SHOULD I PERFORM THE MITZVAH OF LIGHTING NEIROS CHANUKAH?

It is preferable for a guest to light his own Neiros Chanukah (Mishna Berurah 677:3 and Shaar HaTzion 677:10). However, it is also acceptable for one to fulfill the mitzvah by becoming a partner in his host's lighting. This is accomplished by contributing at least a *prutah* (a few pennies) to the host thereby acquiring a share in the oil or candles (Mechaber 677:1) and wicks (Kaf HaChaim 677:8 quoting the Shu"t HaRashba Siman 542). When giving the host the money, the guest should say, "I am giving you this money to acquire a share in the oil and

the wicks of the Chanukah lights that you will kindle tonight [or all eight nights of Chanukah]. The host should respond "I am transferring to you, with the acceptance of this money, a portion of the Chanukah lights that I will kindle tonight [or all eight nights of Chanukah]" (Kaf HaChaim 677:2).

The guest should stand close to the host during the brochos and have intention to fulfill his requirement by listening to the host's brochos, and the host should likewise intend that the guest fulfills his obligation with the host's brochos (Kaf HaChaim ibid and Mishna Berurah 677:4).

IS THERE ANY OBLIGATION TO MAKE A SEUDAH (MEAL) IN HONOR OF CHANUKAH?

Although there is no specific obligation

to eat a meal on Chanukah, Rama (Orach Chaim 670:2) writes that it is nevertheless proper to prepare such a meal to recall the rededication of the Temple and to sing *zemiros* (songs of praise and thanks) to remember the miracles. If one does so, the meal is elevated to the status of a *seudas mitzvah* (i.e., there is a mitzvah to partake of such a meal). Additionally, there is a minhag to eat cheese on Chanukah, to remember how Yehudis (the daughter of Yochanan Kohen Gadol) was able to behead the Greek general Holofernes after serving him milk products. There is also an ancient minhag to eat foods fried in oil, such as doughnuts, to remember the miracle of the oil. The Rambam's father, Rav Maimon HaDayan ben Yosef, writes that in his days this was already an established minhag, and that one should not treat it lightly. ■