

ספירימ

וכשר הדבר – *PSAKIM FROM RAV BELSKY*

The following collection of kashrus-related פסקי הלכה heard from Rav Belsky, were distributed as a daily email from March 5 - June 21, 2012, as a זכות for Rav Belsky's health.

To highlight the broad range of contributors, each author's style and spellings were preserved.

BASAR B'CHALAV

Aged Cheese

Submitted by: Rabbi Dovid Cohen

The *Ashkenazic minhag* is that after eating "hard cheese" one should wait 6 hours before eating meat, and *Shach* says that any cheese which is aged more than 6 months qualifies for this. Rav Belsky clarified that this only applies to cheeses which truly "age" for 6 months and develop the pungent taste and hard texture which demand that one wait for 6 hours between eating them and meat. However, a standard packaged cheese (e.g. mozzarella) which happened to sit in the refrigerator for 6 months is not aging in any meaningful manner and is not considered a "hard cheese" in this context.

Cheeseburger with Pareve Cheese

Submitted by: Rabbi Dovid Cohen

Someone who serves almond milk at a meat meal must put some almonds on the table as a *heker* that the milk is pareve. Rav Belsky said that this subtle *heker* is not one that everyone will notice yet it is still considered "good enough" for these purposes. Accordingly he ruled that if a restaurant is serving cheeseburgers made with real meat and pareve cheese, it is enough for them to print "made with pareve cheese" on their menu and receipts, even though some people will never pay attention to the notice.

Dairy Bread

Submitted by: Rabbi Zushe Blech

Halacha states that bread must always be pareve, lest it be used inadvertently with a meat (or



dairy) meal. In most circumstances, this precludes the certification of dairy breads even if all of its ingredients are kosher. Rav Belsky held, however, that such bread is not “treif”, and equipment used to produce non-certified dairy bread which contains only kosher (albeit dairy) ingredients may still be used to produce kosher dairy cakes and other products that are allowed to be dairy.

Hekker

Submitted by: Rabbi Eliyahu Ferrell

If two people are eating on the same table with one eating meat and the other eating milk, there must be a *heker* on the table so that they do not accidentally eat from one another's plates. Rav Belsky said that the *hekker* must be large enough to be noticed and thereby serve as a reminder.

Meat Soaked in Milk

Submitted by: Rabbi Eliyahu Ferrell

Meat soaked in milk for 24 non-consecutive hours. One wants to cook this meat. The *din* is that a *greira* must be removed. Rav Belsky pointed out that this *kula* applies only to meat that is not *מְתוּבָּל* and lacks *מִקְטָעִים*.

Melted Hard Cheese

Submitted by: Rabbi Eliyahu Ferrell

The *Yad Yehudah* (89:30 – *Katzar*, cited by *Darchei Teshuvah* 89:43)

states that eating cheese softened by cooking/baking does not necessitate waiting six hours. Rav Belsky maintains that the *Yad Yehudah's* leniency refers to cheese melted into a food, not to cheese melted onto a food that is not integrated with the food to become part of the food.



BERACHOS

Cheerios

Submitted by: Rabbi Eli Gersten

Rav Belsky holds that Cheerios are not *pas*. This is because Cheerios are made by cooking the oats. Although afterwards they undergo a drying process, Rav Belsky held that since this drying does not cause *krimas panim* (forming of a crust/caramelization) but rather just dries out the O's to give them crunch, they are more similar to bread that is baked by leaving it out in the sun. On such bread one does not say *hamotzi*. This has important implications for *kevias seuda*. According to this, if one ate a meal's worth of Cheerios they would still only say *mezonos* and *al hamichya*. However, he thought there was reason to be *machmir* and avoid such situations. Also, accordingly one may eat Cheerios during *aseres*

y'mei teshuva, when there is a *minhag* to be *nizhar* only to eat *pas Yisroel*.

Onions in Herring

Submitted by: Rabbi Yissachar Dov Krakowski

Twice I witnessed Rav Belsky take a fork of onions from pickled herring and make a *ho'adomo*. Rav Belsky explained that since we follow the *Mishnah Berurah's* ruling (205:5) that onions are *shehakol* both when they are raw and when they are cooked, the only time one may make a *ho'adoma* on them is when they are *kavush* (pickled). He explained that he is therefore very much *mechavev* the (pickled) herring onions.

Wraps

Submitted by: Rabbi Tsvi Heber

When Rav Belsky *shlit"l* came to Toronto a few years ago, we had the *zchus* to host him for lunch at which we served a variety of "wraps". Rav Belsky recited a *borai minai mezonos* on the wheat-based wraps.

Editor's note: There was considerable reaction to the above submission on Rav Belsky's practice regarding wraps. It goes without saying that the *Vekasher HaDavar pesakim* are meant to only reflect Rav Belsky's positions and not necessarily that of other Rabbonim. However, it was pointed out that in one publication approved by Rav Belsky (<http://bit.ly/wZuF7l> - point "g") it states that Rav Belsky was of the opinion that the *bracha* is *hamotzi*, and in another one

(<http://bit.ly/zbjkgW> - page 9) it quotes Rav Belsky as differentiating between different types of wraps.



BITUL

Bitul of a Davar Pagum

Submitted by: Rabbi Zushe Blech

There is a general *Halacha* that ingredients that are *pagum* are *batul b'rov*. Rav Belsky felt, however, that this only applies where the *pegimah* is still noticeable in the final mixture. In situations where the offending material is diluted to the point where it cannot be detected – but not *batul b'shishim* – then it (the ingredient which contains the *davar pagum*) is not *batul*.

Darko L'Hishtamesh B'shefa

Submitted by: Rabbi Zushe Blech

Under certain circumstances, large *kelim* that been used for non-kosher products may be used for kosher productions without *kashering*. The basis of this *heter* is that such *kelim* always contain product that is more than 60 times the volumetric displacement of the material of the *kli*, thereby rendering any non-kosher *b'lios batul*. Rav Belsky felt that this *heter* (where applicable) applies only where the amount of non-kosher flavor absorbed by the *kli* is minimal - i.e. the non-kosher

material that had compromised its kosher status had only a small amount of *treif* ingredients. If the *kli* had been used to cook a fully non-kosher product, then the *heter* of *darko l'hishtamesh b'shefa* would not apply.

Estimating Bitul in a Tank

Submitted by: Rabbi Dovid Cohen

In a situation where kosher food was processed in a non-kosher tank, the proper way of calculating if the non-kosher *b'lios* are *batel b'shishim* is to compare the volume of the metal which comprises the tank's walls to the volume of the kosher food (rather than its weight). Rav Belsky created the following relatively easy formula to calculate an estimate of this type of ratio for a cylindrically shaped tank: $[R * H * F] / [A (2H + R)]$ where A = thickness of the metal walls of the tank (in inches); F = percentage of the tank which is Full (e.g. 1 = 100%, 0.8 = 80% full); H = Height of the tank (in inches); R = interior Radius of the tank (in inches). For an explanation of the basis for this formula and examples of how it is used, see <http://bit.ly/OU-N-16>.

Non-Dairy Creamer

Submitted by Rabbi Yosef Wagner

I once asked Rav Belsky if someone can be *mevatel* milk *bshishim* in ones coffee during the

six hour waiting period after eating meat. [My application of this is to some non-dairy creamers that have a little bit of milk in them and since we do not say *chanan* on *heter*, *shishim* is only needed against the little milk in the non-dairy creamer.] He said yes, as the *minhag* is on the *gavra* to wait six hours, and thus would not violate *ein mivatlin issur lechatchila*.



CHALLAH

Crumb Dough

Submitted by: Rabbi Yissachar Dov Krakowski

Last week, Rebbetzin Presby (Rav Belsky's daughter) asked her father whether one is required to be *mafrish* challah on crumb dough, the dough used to create the crumbs which are the covering for an apple cobbler. She described the ingredients (flour with considerable amounts of oil or margarine) and consistency of the finished product (crumbs), and Rav Belsky ruled that there is no need to be *mafrish* challah for this product.



COSMETICS & TOILETRIES

Mouthwash

Submitted by: Rabbi Moshe Dovid Lebovitz

The opinion of the *Taz* 98:2 is that one is not allowed to taste a non-kosher food with one's tongue because the person may come to eat it. Many mouthwashes contain a large amount of glycerin (which may be *treif*) which gives a refreshing taste, and Rav Belsky said that since the mouthwash is sometimes swallowed the above ruling of *Taz* applies and one should therefore only use mouthwash that is free of sensitive ingredients or has a *hechsher*. [Rav Belsky also did not accept the argument that mouthwash is *nifsal m'achila*.]

Soap

Submitted by: Rabbi Yissachar Dov Krakowski

Rav Belsky maintains that it is worthwhile to be *choshesh* for those who are *machmir* regarding *sichah keshesiah* and to therefore only use kosher body soap. I explained to Rav Belsky that "out of town" it is difficult to find kosher soap. To this he responded that as relates to this question one could be lenient and assume that all liquid body/hand soap is acceptable even if it contains glycerin.

Toothpaste

Submitted by: Rabbi Moshe Dovid Lebovitz

Rav Belsky said, based on a ruling from Rav Yaakov Kaminetzky, that when the primary ingredient in toothpaste was inedible calcium carbonate (chalk), the other ingredients were *batel b'rov* and one could use any toothpaste. However, recently, in many types of toothpastes, calcium carbonate has been replaced with hydrated silica which comprises less than 50% of the paste. Since the other ingredients are regular foods – water, glycerin and sorbitol – one cannot rely on *bitul b'rov* and therefore Rav Belsky said that one should only use a toothpaste that does not contain glycerin (or has a *Hechsher*).



FISH

Hot Smoked Fish

Submitted by: Rabbi Chaim Goldberg

Rav Belsky is of the strong opinion that even though theoretically hot smoking is included in the heter of "ishun" brought in YD 113, the current process of hot smoking is not the same as that of the *Gemarah*, as the cooking and the smoking elements of the present day process are not the same

(the heat is not from the smoke, rather from a separate cooking element). Practically, this is not a concern on most smoked fish as they are edible after the brine step, before the cold smoking step (even if the cold smoking is not separate from the hot smoking process but one continuous process). Each fish and manufacturer should be evaluated separately, by having samples – before and after hot smoking – tasted by someone familiar with fish. [To see Rav Belsky's teshuvah on this topic, see <http://bit.ly/OU-A-142>.]

Menhaden Oil

Submitted by: Rabbi Zushe Blech

The menhaden is a small, oily fish from which a refined fish oil is produced. The oil is commonly used in Europe to produce margarine and other products, and has made some inroads in the United States due to its purported health benefits. Due to the small size of the fish, they are not processed by hand; rather, they are caught in large nets and dumped into cookers for processing. While the menhaden is a kosher species of fish, it is impossible to check each fish being processed to ensure that non-kosher by-catch was not caught at the same time. Rav

Belsky ruled that if the company has systems in place to prevent any significant amount of by-catch, then one may use such oil, since any possible contamination would be very *batul*.

Salmon

Submitted by: Rabbi Zushe Blech

One cannot generally identify the species of fish from which a filet was produced by its appearance. In most circumstances, Rav Belsky does not permit fish filets unless the skin is still attached, which would allow one to check for the scales necessary to determine that it is Kosher. However, he considers red salmon to be kosher even without such evidence, because he holds that it has been reliably determined that all species of red-fleshed fish are Kosher. He believes that this proof is even stronger – and unrelated – to the position quoted by the *Bais Yosef* regarding red fish roe. While species other than salmon may be “colored” by feeding them food containing red dyes, such fish are invariably of the salmon family and Kosher – feeding red food coloring to a (non-Kosher) catfish would not create a similar red color in its flesh. Soaking or painting a red color on an otherwise colorless fish would also

not yield the red color characteristic of salmon.

Herring

Submitted by: Rabbi Zushe Blech

Rav Belsky feels that most fish filets require *Hashgacha Temidis*, since one cannot usually determine to verify the kosher status of a filet once the skin has been removed. However, he has ruled that herring filets may be used, because the silvery skin on the outside of the filet is a *siman muvhak* that it is herring (a kosher fish).



GEVINAS YISROEL

Cheese owned by Jews

Submitted by: Rabbi Zushe Blech

Rav Belsky held that the extraordinary rule of *G'vinas Akum* only applied to cheese that was owned by a non-Jew. In situations where a Jew actually owns the cheese company – including the milk and rennet – he felt that it could be considered kosher without having a Jew add the rennet, because it was quintessentially *G'vinas Yisroel*.

Cottage Cheese

Submitted by: Rabbi Zushe Blech

When milk curdles it forms curd and whey, and cheese is produced by separating the curd. Since many types of cheese

are produced using an animal enzyme preparation known as rennet to create the curd, *Chazal* required – in a rule known as *G'vinas Akum* - that someone Jewish be involved in the cheese production. [The *minhag* is to require that the Jew actually add the rennet as required by the *Shach*.] The curd of cottage cheese, however, is produced by acidifying the milk, and rennet (if used) plays an insignificant role. Rav Belsky felt that there never was a *minhag* to consider cottage cheese to be included in the *gezeira* of *Gevinas Akum*, and allowed the certification of cottage cheese (as well as cream cheese and ricotta cheese) provided all of the ingredients used were Kosher.



INSECTS

Copepods in New York City Water

Submitted by: Rabbi Yaakov D. Lach

Rav Belsky permits drinking New York City water without a filter. His primary reason is that the reservoir, by definition and in function, is a *bor* (water pit) and therefore the creatures that develop there are permitted. Although the *heter* of a water pit is only to drink straight from the pit

(since when removed from the pit, the creatures are considered "pirais" / separated and become prohibited), in our case this is not a concern. This is because in New York City all the creatures show up dead at the tap, due to chlorination. There are *Rishonim* who are lenient and rule that once dead, the creature remains *mutar*, even when separated. We are allowed to follow this opinion when there is a *tziruf* (additional lenient factor). Here, the *tziruf* is that the incidence of the creatures is not very common, generally being only a *miut hamatzui*. Rav Belsky himself drinks unfiltered water.



KASHERING

Brine Tanks

Submitted by: Rabbi Zushe Blech

Many types of cheese are soaked in salt water (brine) after they have been formed into a loaf or wheel. Kosher cheese productions use kosher brines and, in most cases, the brine vats are dedicated to kosher productions. In situations where it is not possible to dedicate tanks, they must be *kashered* prior to being filled with fresh (kosher) brine. Older tanks are often made of fiberglass with an epoxy coating, and it is

virtually impossible to *kasher* them. Rav Belsky felt that if an additional layer of epoxy (1/4 inch) is applied to them, then the inside layer becomes a new *kli* and no *kashering* is required.

Extended Irui

Submitted by: Rabbi Dovid Cohen

The principle of *k'bol'oh kach polto* teaches us that utensils which absorbed non-kosher taste as a *kli rishon* cannot be *kashered* via *irui kli rishon*. *Tosfos, Shabbos 40b*, explains that this is true even if the *irui* is done at *roschin* temperatures. Based on the logic presented in *Tosfos*, Rav Belsky said that *irui* may be used to *kasher* a *kli rishon* if the *irui* is done for so long that the metal/walls of the utensil become saturated with heat. Accordingly, water pouring through a spray ball can be used to *kasher* a *kli rishon* if the water flows for an extended amount of time. For details on this see OU Document K-263 at <http://bit.ly/OU-K-263>.

Glass Stovetop

Submitted by: Rabbi Dovid Cohen

Rav Belsky holds that a glass stovetop has the status of a *chatzuvah* which *Rema 451:4* rules can be *kashered* with *libun kal* (even though solid food occasionally drops onto it). He suggests that this could possibly

be accomplished using a specially constructed piece of sheet-metal which is the size of the stovetop and has holes cut out over the areas where the stovetop's burners are. The metal should be put on the stovetop and the fires turned on to their highest. This will cause the glass to heat up to *libun kal* temperatures but will allow enough heat to escape (through the holes) so that the glass will not break. As with all methods of *kashering*, one may only use this procedure if he is confident that it will not cause the glass stovetop to crack.

Libun Kal Temperature

Submitted by: Rabbi Dovid Cohen

What temperature is required for *libun kal*? It is well documented in earlier *Poskim* that *libun kal* is accomplished when heat is applied to a surface until the back-side side of that surface reaches *yad soledes bo* (~160-175° F). However, Rav Belsky has said that those *Poskim* were only discussing a case where the person put fire or coals directly onto the non-kosher surface. If one merely heats up a chamber, then the metal must reach a considerably hotter temperature before *libun kal* is accomplished. In order to accomplish *libun kal* in

that scenario the chamber must maintain a temperature of 550° F for one hour, 450° F for 1.5 hours, or 375° F for two hours.

Sight Glass

Submitted by: Rabbi Dovid Cohen

The *Ashkenazic* custom is that glass cannot be *kashered*, but Rav Belsky has said that nonetheless one may *kasher* metal equipment which contains a sight glass. He bases this decision on a combination of two factors. Firstly, the sight glass occupies a relatively small part of the overall equipment such that even if the sight glass is considered to not have been *kashered* it is akin to a non-kosher utensil which is *asui l'hishtamesh b'shefah* (where many allow its use without *kashering*, especially if the equipment is *aino ben yomo*). Secondly, the fact that *Darchoi Moshe* allows the *b'dieved* consumption of food made on glass which had been *kashered* indicates that the aforementioned custom is merely a *chumrah*.



MEAT

Bedikas Chutz for Lamb

Submitted by: Rabbi Sholem Y. Fishbane

In recent years, there have been those who insist on a *bedikas chutz* for lamb but Rav Belsky said that there is nothing wrong with the way that has been done until now (that *bedikas pnim* is sufficient) since we are *makpid* that the *bodek pnim* does not accept any lamb whose lung has even the slightest imperfection.

Hindquarter Nikkur

Submitted by: Rabbi Yaakov D. Lach

[The hindquarters of animals are not used in the USA for kosher production. This is because they contain the prohibited *chailev* fat, the *gid hanashe* (sciatic nerve), and *gid hachitzon* (femoral nerve). The *cheilev* is an *issur kares* and therefore treated very seriously. The issue of the prohibited *gidin* is a Rabbinic one (since the part of the *gid hanashe* that is Biblically prohibited is easily removed), yet this too is a factor, since we remove every last innervation of these nerves into the meat, a tedious process that requires great skill and *yiras shomayim*.]

Rabbi Belsky permits the use of the hindquarters of a wild animal (such as deer). The *chailev* is permitted, being that it is a *chaya*. The prohibited *gidin* apply to a *chaya* as well, and the *Gemara*, *Rishonim*, and early *nikur Sefarim* clearly say that there is no difference between a *behaima* and *chaya* with regards to the laws of *nikkur*. Still, Rabbi Belsky permits *nikkur* of the *gidin* to be done on a *chaya* without removing every trace of innervation the way we do by an animal. The reason is that he feels

that the current practice by animals is the result of *chumras* that have evolved over the years, and are not part of the original regimen that existed in the times of the *Gemara* and *Rishonim*. Therefore, while these practices are binding and obligatory, this is only so with regard to animals, whose *nikkur* was commonplace. With regard to wild animals, the original tradition remains intact, and a simple *nikkur* of the main nerves and their primary innervations into the meat is sufficient. Rav Belsky relates that a *menaker* in *Eretz Yisroel* related to him that he recalls being *menaker* deer in Europe before the war, and doing a much simpler *nikkur* on the *gid hanashe* than in animals.

Lamb Tongue Nikkur

Submitted by: Rabbi Sholem Y. Fishbane

While we are *makpid* to take out the whole *gid* in a cow tongue, *nikkur* on lamb tongues are harder to do since they are much smaller which makes the work very tedious. Rav Belsky has said that in the case of lamb tongue the *gidin* are so small that they are more comparable to chicken *gidin* (which do not have to be removed) and therefore puncturing the tongue is sufficient.

Lipase enzymes derived from animal sources

Submitted by: Rabbi Zushe Blech

Lipases are enzymes that break down lipids (fats) to enhance their flavor, and are commonly used to produce lipolyzed butter oils and enzyme modified cheese. Traditionally, these enzymes are made from the oral gastric tissue of lambs and kids. Rav Belsky holds that enzymes derived from *neveilos* may not be used in kosher products, whether produced from the ground tissue or extracted from it. Even the use of tissue derived from kosher-slaughtered animals may not be added to dairy products. However, if the enzyme is extracted from kosher tissue – and then treated to remove all meat flavor – it may be used in kosher dairy products.



MISCELLANEOUS (NON-KASHRUS)

Kavanah in Berachos

Submitted by: Rabbi Yaakov D. Lach

Rav Belsky once told me that the requirement to have specific *kavanos* when mentioning *Hashem's* names *Adnus* and *Elokim*, applies only to *berachos*, and not to the rest of *davening*.

Loose Skin on Shabbos

Submitted by: Rabbi Yaakov D. Lach

Rav Belsky once told me that the *issur* of pulling off loose skin on *Shabbos* is not referring to dried up skin that easily flicks off. It is referring to skin such as commonly becomes loose on the side of the fingernails, where it needs to be pulled off.

The First Chumrah

Submitted by: Rabbi Eliyahu Ferrell

In the most recent OU Webcast with the OU Poskim, we received the question, "What *chumrah* should one take on as a *zechus* for a *choleh*?" Rabbi Safran, the moderator, directed the question to Rav Belsky. Rav Belsky said that the *chumrah* should be in an area in which he (the *mezakeh*) is weak. Rabbi Safran commented that this presupposes that the *mezakeh* recognizes that he has an area of weakness! Rav Belsky's response was, the **first** *chumrah* to take on is to recognize that one has an area of weakness.



MITZVOS OF ERETZ YISROEL

Eilat

Submitted by: Rabbi Yissachar Dov Krakowski

Rav Belsky maintains that Eilat and vicinity are *Eretz Edom* and are therefore *patur* from *maaser*. Rav

Belsky also ruled that Eilat is considered *Chutz LaAretz* for all purposes. Rav Belsky said that for someone to leave *Eretz Yisroel* to go to Eilat they would need no less of a justification than to go to Brooklyn.

Re-tithing

Submitted by: Rabbi Yissachar Dov Krakowski
Rav Belsky suggested that one should re-tithe produce in *Eretz Yisroel*. He explained that it would seem that most people nowadays should have the status of an *Am-HaAretz* and are therefore not trusted in regards to *terumos* and *maasros*. He said that most *Mashgichim* as well are not *Talmidei Chochomim* nor were they *mekabel chavrus* in front of a *Talmid Chochom* etc. Since Rav Belsky maintained that one should re-tithe as *demai*, he didn't feel it was necessary to use a *pruta chamura*, but rather one could use any coin which is worth a *pruta*. Rav Belsky added that if both the store owner is *frum* and there is a good *hashgocho* then one could be *meikel* and eat without re-tithing. Rav Belsky also maintained that on *Shabbos* one could eat at someone's home without re-tithing.



NON-KOSHER ENVIRONMENT

Coffee

Submitted by: Rabbi Sholem Y. Fishbane

There are possible halachic justifications for permitting coffee prepared or served in utensils which were possibly washed with non-kosher dishes, but Rav Belsky held that it is not within the spirit of the law to permit such items. Rather, it is our mission as a *hashgachah* to not recommend products which are "not so bad" and rely on *heteirim*. Rav Belsky himself does not drink coffee made on an airplane; instead, he asks the airplane stewardess to give him a cup of hot water in a disposable cup which he then mixes with the instant coffee that he proudly carries with him for such situations.

Water Coolers

Submitted by: Rabbi Eliyahu Ferrell

Rav Belsky said that using the hot water from an office water cooler is permissible even when one's co-workers do not keep kosher—unless one notices that a co-worker inserts the water spigot into his cup. However, one is not obligated to be concerned about such an insertion in the absence of having seen it.



PAS & BISHUL YISROEL

Beets

Submitted by: Rabbi Eli Gersten

Rav Belsky holds that beets do not require bishul Yisroel. This is because it is common to eat beets raw together with one's horseradish. We have contacted companies that sell horseradish with beets and they confirmed that they do not cook them. I had thought that perhaps the beets marinate in the vinegar, and therefore do not need cooking, but Rav Belsky told me that he prepares his own beets and horseradish on Pesach, and it is ready to use immediately. Therefore, it is like cooked ginger which is not subject to bishul akum (as discussed in Mishna Berura 203:11), since it is eaten raw together with sugar.

Cake and Cookies

Submitted by: Rabbi Zushe Blech

Bread is subject to the rules of *pas palter* which, for *Ashkenazim*, allows the OU to certify bread on a broad basis. The question then comes up as to whether cake and cookies are subject to the *kula* of *pas palter*, or fall under the umbrella of products subject to *bishul akum* concerns. Rav Belsky ruled that we could rely on the

Bais Meir, who holds that since *pas haba b'kisnin* has certain *halachos* of "bread" - i.e. if one is *koveah seudah* on it one would be required to wash, make *hamotzei*, and *bentsch* - it may be considered "pas" as regards the *halachos* of *pas palter*. On the other hand, cooked grain products which are not *pas haba b'kisnin* - such noodles - are subject to the rules of *bishul akum*.

Canned Corn

Submitted by: Rabbi Eli Gersten

Rav Belsky explains that canned corn does not require *bishul Yisroel*, because fresh corn is considered *nechal k'mo she'hu chai*. Although this sounds surprising, if one were to test this out, they would be pleasantly surprised as to how good raw fresh corn tastes. It is irrelevant that the majority of people only eat cooked corn, because the majority is not avoiding raw corn because of any revulsion, only perhaps that they prefer the taste of it cooked. Rav Belsky points out that all the examples that the *Gemara* gives for items that require *bishul Yisroel* (meat, fish, eggs) are all foods that the majority of people are disgusted or would have difficulty eating raw. The *Issur V'heter* (43:4) makes

a similar point about hard pears. He writes that although hard pears are mostly eaten cooked, there is no issue of *bishul akum*, since they can be eaten raw and their *beracha* even raw is *ha'eitz*.

Convection Oven

Submitted by: Rabbi Yosef Wikler

Convection ovens shut off when the door is opened. That means that if a Jew originally turned on the oven and a non-Jewish cook opens the door to put the food inside, keeping it open for a few minutes, during that time the oven will cool down. Then when he closes the door after, say 5 minutes, he has begun the cooking under his own power rendering the food as *bishul akum*. Rav Belsky said that the cutoff temperature as to what is considered too cool (and the Jew's original lighting is said to have finished) is when the oven is no longer at a point that it can cook, which is about 170 degrees Fahrenheit. He further said that this temperature is measured by the air in the oven not the heat of the walls, which will be much higher.

Light bulb

Submitted by: Rabbi Eli Gersten

There are two *sevaros* brought by the Rishonim as to why *hashlachas kitem* works to create

pas Yisroel (or according to Rema, *bishul Yisroel*). Rif says that it is *mikarev bishulo* and Rambam says that it acts as a *heker*. Rav Belsky said a light bulb left on all the time inside an oven does not satisfy either of these requirements. It does not act as a *heker*, because one cannot create a *heker* before the non-Jew lights his fire. It is also not *mikarev bishulo*, because *kiruv bishul* requires a measurable benefit in the cooking. A light bulb, or even a glow bar in a large oven, will not affect the length of time that the food needs to cook. If no one will adjust their cooking time because of the light bulb or glow bar then it is not sufficient. Rav Belsky is *midayek* in the wording of the Issur V'Heter brought by the Shach (113:9) אך יזהר כשמחמתה בגחלים שאותו חיתוי יועיל לתקן האש ויועיל למחר בישולו. The words "אך יזהר" (be careful) imply that not just any *chitui* is sufficient only one that is truly *mikarev bishulo*.

Maintaining a Jew's Fire

Submitted by: Rabbi Eli Gersten

If a *Yisrael* turns on an oven, even though the fire cycles on and off, the hot oven is considered an *aisho shel Yisroel*. Rav Belsky has said that even if a non-Jew turns up or down the oven we do not view the oven as losing the

original *hesek* so long as the oven always remains hot enough to cook. This temperature is approximate 80 C (176 F) which is usually the lowest setting for an oven, below which presumably the oven would not function to cook food. Rav Belsky has said that this idea can be applied to boilers as well. If a boiler is turned on by a *Yisroel*, even if it is subsequently turned off and turned back on by a non-Jew, so long as the boiler always remained above 80 C, food cooked with the steam/hot water from that boiler can be considered *bishul Yisroel*.

Measuring Edibility

Submitted by: Rabbi Eli Gersten

Rice that is cooked by a non-Jew beyond the point of *maichel ben drusai* (1/3-1/2 cooked) is *assur* because of *bishul akum*. However, the *Yad Efrayim* quotes the *Teshuvav Avkas Rochel* (Rav Yosef Karo) that if the grain is subsequently dried out to the point that it is no longer edible then it loses the *bishul* and becomes permitted again. Rav Belsky pointed out that this *heter* only applies if the grain absolutely requires *bishul* to make it edible. However, if a mere soaking in lukewarm water for several

minutes is sufficient to reconstitute the grains then it remains *assur*, even though it was inedible in its current state. Conversely, Rav Belsky *paskened* that couscous that was *bishul Yisroel* and then dried out remained *bishul Yisroel*, since it was able to be reconstituted with a 30 minute soaking in lukewarm water.

Mumar

Submitted by: Rabbi Eli Gersten

Rav Belsky has said that although we do not drink wine touched by a *mumar* or *mechalel Shabbos*, still we may eat food cooked by them. The Rishonim bring two *sevaros* for the *gezeira* of *bishul akum*. Most Rishonim say it is because of *chasnus* (intermarriage). However Rashi brings an additional reason, because we are afraid they might add something non-kosher. According to Rashi the *gezeira* should apply to a *mumar* as well. However, since most Rishonim only bring the *sevara* of *chasnus*, and this does not apply to a *mumar* the *gezeira* would not apply. Rav Belsky reported that Rav Moshe Zt"l was *maikel* as well. However, in factories, it is difficult to be lenient, because the *mumar* does not have *ne'emanus* to say that he turned on the fire.

So unless a *shomer Shabbos* witnessed him doing so, we would not accept this as *bishul Yisroel*.

Parparot (dessert foods)

Submitted by: Rabbi Eli Gersten

Rav Belsky explains that *b'nei mei'ayim* are *assur* not because they are the same *min* as meat, but rather because they are classified as *parparot* (dessert) type items which are also included in the *issur* of *bishul akum*. So although *bnei mei'ayim* of an animal are considered a sub-standard grade of meat and would not be served for a main course *al shulchan melachim*, nevertheless they qualify as *bishul akum* since they are *chashuv* enough to be served as *parparot* at a fancy dinner. Therefore, all raw meat must be cooked by a *Yisroel*. Even though lower quality meats such as are used for hotdogs, would not be served as the main course at a wedding, nevertheless, this meat can find its way onto *shulchan melachim* as *parparot*, such as in the form of franks-in-blanks.

Remote Lighting & Timers

Submitted by: Rabbi Eli Gersten

Some factories are located in remote areas and it is difficult for *Mashgichim* to visit frequently or on short notice. If such a factory requires *bishul Yisroel*, it may be

impossible to send a *Mashgiach* every time the boiler needs to be turned on. Rav Belsky said that it is acceptable to have the *Mashgiach* turn on the boiler remotely, from his cell phone, by dialing in a special code. Of course, a system would need to be set up that ensures that this is the only method for turning on the boiler. Also if the *Mashgiach* sets a timer in the evening to turn on the fire the next morning this is also acceptable. However, Rav Belsky only allows timers for a one time use but not if they turn on the oven again and again, because then the *ma'aseh Yisroel* is lost. Rav Belsky said that a timer for its first use is a real *ma'aseh*, similar to *aisho mi'shum chitzo*, and is not only a *גרמא*, but subsequent uses are only a *גרמא*.

Rice Milk

Submitted by: Rabbi Eli Gersten

Rice milk is made from grains of rice that are cooked under pressure together with enzymes and a large amount of water. The enzymes break down the rice, and what exits the pressure cooker is a rice mash. Rice syrup is separated from this mash and turned into rice milk. Rav Belsky has ruled that when a single continuous process is used to convert a food into a form that is

not *oleh al shulchan melachim*, it does not require *bishul Yisroel*. We are not concerned that perhaps if we would have stopped the process in the middle, we would find cooked rice in a state that is potentially *oleh al shulchan melachim*, since the original intention was to reduce it to a mash, and there was no break in the process. However, if we find ourselves at the end of an intermediate step with cooked rice which is *oleh al shulchan melachim*, then even if it is further processed so that the final product is not *oleh*, it would still not be permitted.

Shulchan Melachim – Not Determined by Min

Submitted by: Rabbi Eli Gersten

It is well known that Rav Belsky holds that we determine whether something is *bishul akum* by the individual food, and not according to the *min*. For example although a potato cooked by a non-Jew would be *assur* because of *bishul akum*, potato chips would be permitted because potato chips are a snack food and as such are not fit to be served *al shulchan melachim*. Similarly cooked rice made by a non-Jew is *assur* because it is served *al shulchan*

melachim, but rice cakes are not served *al shulchan melachim* and are therefore exempt from the *issur*.

Shulchan Melachim – Served at Royal Banquet

Submitted by: Rabbi Eli Gersten

Rav Belsky has said that the definition of *oleh al shulchan melachim* is what a king would serve at his banquet, not what he privately eats. Although a king might eat corn flakes for breakfast, this does not make corn flakes subject to *bishul akum*. Furthermore, Rav Belsky holds that imitation style foods, such as soy burgers, are not subject to *bishul akum*, because they are also not *oleh al shulchan melachim*. Imitation foods by definition are second class, for those who would rather be eating the real thing, but cannot afford to, for health reasons or otherwise. So although the king himself might eat tofu burgers if he is placed on a strict diet, still it is not a food he would serve at a wedding or banquet.



PESACH

Bedikas Chametz

Submitted by: Rabbi Moshe Dovid Lebovitz

The following rulings were said by Rav Belsky: *Bedikas chametz* is

required in a bathroom to ascertain that none of the medicines are chametz. The car should be checked when it is most convenient. If it is not practical to check one's office on the night of the fourteenth, it can be checked beforehand. The night of the fourteenth is reserved for one's home. Everyone who is healthy and not infirm should clean his house properly and do the required *bedikah* even if he is going away for Yom Tov. One should not look for loopholes regarding this. Some have the custom to keep the lights on during the *bedikah* because the additional light aids in the search. Rav Belsky does not use a flashlight.

Equipment used for chametz on Pesach

Submitted by: Rabbi Dovid Cohen

If a Jewish-owned company produced products on *Pesach* which contained *chametz* ingredients, Rav Belsky has ruled that the equipment could be used for certified products after *Pesach* (without *kashering*) once the equipment was *aino ben yomo*. This ruling was based on a *tziruf* of the opinions mentioned in *Sha'arei Teshuvah* 447:2 (*kashering* is never required for *chametz she'avar alav*

hapesach) and *Mishnah Berurah* 447:4 (there is no *gezairah aino ben yomo atu ben yomo* in this case).

Kashering after Kitnios

Submitted by: Rabbi Dovid Cohen

Rav Belsky ruled that since the *minhag* of *kitnios* has become so well established and accepted for all *Ashkenazim*, if a utensil was used with *kitnios* one is required to *kasher* that utensil before using it for *Pesach* food. Nonetheless, he suggested that if *kitnios* was used in a pan over the fire without liquid, there would possibly be no requirement to *kasher* the pan with *libun gamur*. He reasoned that as relates to *chametz* there are some *Rishonim* who hold that *libun* is never required (except for *cheress*) because *chametz* is *hetairah balah*; although we do not accept that position as relates to *chametz* we may rely on it as relates to *kitnios* since *kitnios' issur* is considerably less strict.

Non-food Items (assorted)

Submitted by: Rabbi Moshe Dovid Lebovitz

Rav Belsky said the following regarding *Pesach*: One should only purchase dishwashing soap with a *hechsher*. Glue which is on the back of stamps or envelopes should not be licked on *Pesach* because the glue might contain wheat starch which would be

chametz. One is permitted to use lump charcoal for a barbeque during *Pesach* since it is just burnt wood. However, regular charcoals may not be used, since the ashes that make up the charcoal are stuck together with glue that might be *chametz*. Non-chewable pills are not considered edible items and are therefore permitted to be taken as medication on *Pesach*. [This does not apply to vitamins.] If there is an available substitute it is always preferred and it is therefore worthwhile checking out one's medicines for *Pesach*.

Paper Towels

Submitted by: Rabbi Moshe Dovid Lebovitz

Rav Belsky said that there is no "starch problem" with paper towels and one may place food directly on the paper towels. There is no *chumrah*, *issur*, or *minhag* to prevent a drop of *kitniyos* from falling into food. The *Shulchan Aruch* (O.C. 453:1) says that one can use a lamp filled with *kitniyos*-based oil even though it is certain that some of the *kitniyos* will be sprayed into the food. More so, in the case of the paper towels there is no certainty at all of any of it seeping into the food. It has never been confirmed that even a molecule

of starch from the paper towel leaked into food. The *kitniyos* starch is so firmly bonded to the paper towel that even an iodine test would not reveal its presence.

Quinoa

Submitted by: Rabbi Eli Gersten

There has been a great debate in recent years as to whether quinoa is *kitniyos*. Rav Belsky is of the strong belief that quinoa is indeed *kitniyos* because it fits every criteria for *kitniyos*. It is a staple grain in its country of origin. It is grown in proximity of and can be mixed up with the five grains. It is collected and processed (*digun*) the same as the five grains and it is cooked into porridge and breads the same as the five grains. Rav Belsky says that one cannot compare quinoa with peanuts or potatoes, but rather one should compare it to corn (also a new-world grain). Although Rav Moshe Feinstein zt"l permitted peanuts for those who did not already have a *minhag*, because peanuts are a new-world legume and there is no need to create new *minhagim* regarding *kitniyos*, Rav Belsky explained that this line of reasoning only applies to items which are not clearly *kitniyos* such as peanuts and potatoes that do

not fit every criterion of *kitniyos*. For example, peanuts are not cooked into porridge and breads, and potatoes would never be confused with grains. Since we cannot say for sure that peanuts or potatoes would have been included in the *gezeira* we have no need to include them. However, since quinoa and corn would certainly have been included in the *gezeira* had they been discovered they are by definition *kitniyos*.



SAKANAH

Water Fountain

Submitted by: Rabbi Yissachar Dov Krakowski
The *Ramo* 116:5 *paskens* that one may not drink from a faucet because it is a *sakono*. Rav Belsky said not only should one not drink from a regular tap nowadays, but that one should not even drink from a water (drinking) fountain.



SHABBOS & YOM TOV

Convection ovens on Shabbos and Yom Tov

Submitted by: Rabbi Zushe Blech
The prohibition of *amira l'Nachri* (instructing a non-Jew to perform an action prohibited to a Jew) generally forbids a Jew from instructing – or even allowing – a

non-Jew to turn an oven on and off on Shabbos or Yom Tov, but Rav Belsky allowed one to instruct a non-Jew to open and close convection ovens on Shabbos and Yom Tov. Even though the non-Jew would be turning the fan and/or flame on and off when the doors were opened and closed, he felt that it was considered a *davar sheino miskaveyn* since the non-Jew had no intention to turn these features on and off. Although it is clearly a *psik reisha* (and unavoidable result of his action), the rule of *psik reisha* does not apply to non-Jews.

Filtering New York City Water on Shabbos

Submitted by: Rabbi Yaakov D. Lach
Rav Belsky permits drinking New York City water without a filter, but for those who do require filtration halachically, he holds that filtering water is prohibited on *Shabbos*. (This applies only to filtering water that is needed for drinking, not hand-washing or flushing). He holds that the ideas quoted based on snippets in the *Chazon Ish*, such as first letting the water run and only then filling the glass (or the opposite), are not viable options. Accordingly, those people that feel that New York City water is prohibited unless filtered would have to set aside

water before *Shabbos* for drinking. The same is true for *Yom Tov*, since the filter is considered an instrument designated for filtration. Rav Belsky mentioned that faucet-mounted filters might possibly be permitted for use on *Yom Tov*, since they are not designed to filter large amounts of water. He did not rule conclusively on this, though. For Rav Belsky's teshuvah on the topic of copepods, including a discussion of this issue, see <http://bit.ly/OU-C-60>.

Kedairah Blech

Submitted by: Rabbi Yosef Wagner

Rav Belsky told me that one may not do a *nesina lechatchila* on a *kedaira blech* on *Shabbos* morning, as the *blech* does not appear like a *kedarah* at all, and one would need all the conditions of *chazarah* to put food onto it.

Turning Off Lights

Submitted by: Rabbi Dovid Cohen

Rav Belsky holds that non-Jews should not be allowed to turn off the lights and blow out the *Shabbos* candles after the *leil Shabbos seudah* in a kosher-certified cafeteria or dining room. Even if the non-Jew was never formally told to perform those functions, he would believe that the Jews want him to turn off the

lights once everyone leaves the room, and therefore that *melacha* is not being done *adatah d'nafshey*.



STAM YAYIN

Raisin Juice

Submitted by: Rabbi Zushe Blech

Raisin juice is commonly used as a natural sweetener in baked goods and other products. Raisin juice, however, has the same Halacha as grape juice – both for Kiddush (if prepared properly) and for issues relating to *s'tam yayanam*. When used in situations where it is handled by non-Jews, one must ensure that the raisin juice is *m'vushal*. The process of making raisin juice involves steeping the raisins in hot water, and the question was raised as to whether the cooking of the raisins themselves would create a *m'vushal* status, just as *Iggeros Moshe* Y.D. 1:50 ruled concerning cooking grapes. Rav Belsky held that cooking the raisins would not be efficacious because raisin juice itself is not fit for *nesachim* (as per *Rambam, Hil. Issurei Mizbeach* 6:9), and that cooking raisins actually improves the raisin juice. Accordingly, only the cooking of the actual raisin

“juice” creates a *m'vushal* status, but not the cooking of the raisins.

Tartaric Acid

Submitted by: Rabbi Chaim Meir Wagshal

The OU generally approves tartaric acid (a derivative of wine) as a Group 1 and assumes that since it is fully dried out there is no longer an *issur* of *stam yayin*. However, Rav Belsky agreed that tartaric acid from Israel is not permitted without proper *hashgachah* because of concerns of *shemittah*, *tevel*, *arlah*, etc. The difference between *stam yayin* and other *issurim* is that the *issur* of *stam yayin* does not apply if the item is (so dried out that it is) no longer “wine”, but other *issurim* remain.



TEVILLAS KEILIM

Broken Utensil

Submitted by: Rabbi Dovid Cohen

If a Jew purchases a utensil which requires *tevillah* and then that utensil is “broken” and repaired by a Jew, the utensil no longer requires *tevillas keilim*. Rav Belsky has clarified that in order for a utensil to qualify as sufficiently broken to qualify for this leniency, the utensil must have been broken to the point that it was no longer usable and that only a

skilled craftsman would be able to perform the repair.

Large Equipment

Submitted by: Rabbi Dovid Cohen

Rav Belsky is of the opinion that even if equipment is very large and holds more than 40 *se'ah* it must undergo *tevillas keilim* before it is used. [If the equipment can only be used while attached to the ground it is excused from *tevillas keilim*, but Rav Belsky has said that an item which happens to be bolted to the ground but can also be used while unattached does not qualify for this leniency.] If a Jew has a large piece of industrial equipment which is virtually impossible to *toveil*, Rav Belsky has suggested that he sell a \$1 share in the equipment to a non-Jew so as to obviate the need for *tevillah*. Generally we do not rely on this type of *mechirah* on a permanent basis, but in this case there is no choice and it is therefore acceptable. For more details, see *Daf HaKashrus* IX:4 & 6.



TRANSFER OF TA'AM

Loss of Charifus for Onions

Submitted by: Rabbi Eliyahu Ferrell

Pri Megadim and *Yad Yehudah* say that an onion cooked in water loses its *charifus*. In this context,

Rav Belsky clarified that if a cook puts onions in a frying pan with oil and heats up everything at the same time, by the time the contents of the pan are at *yad soledes*, the onion will have lost its *charifus*. On the other, if the oil was brought to *yad soledes* before the onion was introduced into the pan, the onion will function as a *davar charif*.

Microwave Insert

Submitted by: Rabbi Yissachar Dov Krakowski
Rav Belsky ruled that if someone uses separate microwave “inserts” for meat and dairy, they could use the same microwave for both. Rav Belsky said that even though these inserts have small holes for the steam to escape from they are still permitted to use because air/vapor can only escape and not enter.

Nitzuk Chibur

Submitted by: Rabbi Zushe Blech
Steam jacketed kettles are commonly used to heat and cook foods. After the steam heats the product, the condensate that results from the cooling of the steam may be returned to the boiler to be heated and converted to steam for re-use. In situations where the steam was used to heat non-kosher material, the condensate is considered

non-kosher, and may not be used to create steam to heat kosher products. Some have argued that a steam system cannot be used to heat kosher and non-kosher products simultaneously even if the condensate from the non-kosher system is not returned, since the entire steam system is considered “connected” based on the concept of *nitzuk chibur*. Rav Belsky held that this is not a concern, since *nitzuk chibur* is a concept limited to *s'tam yaynam*, where pouring kosher wine into non-kosher wine “connects” them; it has no relevance to conventional questions of *b'lios*.

Thermoses and Styrofoam Cups

Submitted by: Rabbi Eliyahu Ferrell
Thermoses and Styrofoam cups are designed to preserve heat. Since the leniencies associated with a *keli sheni* stem from the cooling effect of the walls of the vessel, Rav Belsky has stated that Thermoses and Styrofoam cups have the status of a *keli sheni* when receiving food and beverages from a *keli rishon*.

Two-Chambered Ovens

Submitted by: Rabbi Eliyahu Ferrell
Rav Belsky said that if one has a two-chambered oven, it is permissible to use one chamber for meaty foods and the other for

dairy foods. If there is no *zei'ah* going from one chamber to the other, it is permissible to use both chambers simultaneously.

Urns

Submitted by: Rabbi Eliyahu Ferrell

Rav Belsky confirmed that he agrees with the following quote from "The Kosher Kitchen" (page 98): "A plastic-encased urn (such as a pump-urn) is not affected by splatters on its outside shell since the water is held in the separate inner metal container."

Yogurt Which Contains Gelatin

Submitted by: Rabbi Zushe Blech

Many yogurt manufactures produce some of products with gelatin and some without. The gelatin in question does not meet OU standards and those products are not certified by the OU. The OU may, however, certify those formulas that do not contain gelatin. Although the non-certified gelatin products are pasteurized on the same equipment as the kosher-certified items, Rav Belsky felt that this did not create a *kashrus* concern for the following reasons. First, the gelatin is *batul b'shishim* (there may be a need to ensure that it is always *batul*, since issues of *Chana"n* may come into play). Second, even if the gelatin were considered a *davar ha'maamid*,

we *pasken* that something that is a *ma'amid* that is otherwise *batul* will not compromise the kosher status of equipment in which it is cooked. Third, there is a valid reason to assume that the gelatin is not even a *davar ha'ma'amid*, since the thickening of the yogurt is primarily a function of the yogurt culture, and the gelatin only adds some custard-type mouth feel.



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