

THE Daf HaKASHRUS



A MONTHLY NEWSLETTER FOR THE OU RABBINIC FIELD REPRESENTATIVE

OU POLICY ON WORMS IN FISH

BY RABBI CHAIM GOLDBERG

RC Fish

The Gemarah in Chulin 67b states that *darna*, a worm-like parasite, found in the flesh of a fish is permissible because "minei gavli" it grows in the fish. The Shulchan Aruch, Y.D. 84:16, quotes this halacha, and adds that worms found in the viscera (gut) are prohibited while worms found in the fish are permitted.

Recently there has been considerable discussion about worms in fish. Some Rabbonim understand the halacha (as formulated in Shulchan Aruch) to be that worms which hatch in the flesh are permitted, while worms that are swallowed whole and enter the viscera are prohibited. Both of the worms migrate to the flesh.

Based on this understanding these Rabbonim have stated that today, worms in fish are

prohibited. This is because scientists maintain that contemporary worms known as *anisakis* enter the flesh through the viscera and then migrate to the flesh.

This is not a new issue and the question has been raised repeatedly in recent years. The OU has reviewed this matter and found it not to be an issue. (Editor's note)

RAV BELSKY confirmed unequivocally that OU policy remains that there is no checking necessary and no prohibition of the worms found in wild salmon and other fish, in accordance with Y.D. 84:16 for the following reasons: Shulchan Aruch does not limit

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THE TEMPERING OF GRAINS

Its Chometz and Hafrashas Challah Implications

RABBI YITZCHOK GUTTERMAN

RC – ADM, New Company Dept., Oil, Egg

THE MILLING of grains has been going on for millennia, and in all that time, the process has not changed dramatically. Milling is still done by simply grinding kernels, albeit with rollers instead of stones. Sifting is still done with sifters, although by automated machines instead of by hand. There is another part of milling known as tempering.

Tempering refers to spraying grain kernels with water before they are milled. This makes the bran tougher and less brittle. If the wheat kernel has not been tempered,

the bran may shatter and leave brown flecks (*ash*) in the flour when the kernel is milled. This is undesirable in regular white flour. Tempering strengthens the bran so that it is removed from the endosperm easily and does not cause brown flecks in the flour.

Tempering has several halachic implications. First, all tempered grain and any flour made from the grain are possibly *chometz gamur*. Secondly, tempering makes the kernels *muchshar likabel tumah*, capable of becoming *tameh*. This directly impacts *hafrashas challah*. When one makes a dough and takes off *challah*, the *challah*, which is considered *Terumah*, is normally burned. This is because it is considered to be *terumah timayah*, which must be burned. If it had been *terumah tihorah*, it would be forbidden to be burned, and

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An uncracked wheat kernel next to a slightly sprouted kernel

UP WHAT'S NEW FOR 2010?

RABBI SHMUEL SINGER

RC, Passover, Wine, Chocolate

KEDEM continues to bottle grape juice under its own name as well as under the Savion, Gefen and Lipschutz labels. All these items have always been and will continue to be *Mevushal*. Kedem has one not *Mevushal* grape juice. This is bottled in 1.5 liter glass bottles and clearly labeled *Non-Mevushal*. In addition, Rokeach will have its own UP grape juice. This will appear under the Rokeach label, as well as the *Mishpacha* labels. Kedem will offer a variety of UP Sparkling Grape Juices. *Manischewitz* has also introduced Sparkling Concord and Niagara grape juice. All these grape juices are *Mevushal*. Kedem and Rokeach will also produce a variety of UP cooking wines. Kedem has introduced Pomegranate and Sparkling Pomogrape Juices with the UP certification as new items this year. Two new alcoholic UP items will be available. *Jelinek* will have UP pear brandy in addition to traditional *slivovitz* and *Distillerie* will have UP gin.

The OU certified *Manischewitz* matzah bakery in the U.S. has relocated and is fully functioning this year. The OU has also agreed to place the UP on *Aviv*, *Osem*, *Yehuda* and *Rishon* matzah products coming from Israel. These items are supervised by local Rabbanim and are satisfactorily made with OU Pesach guidelines. In addition, we have this year certified *Yanovsky* matzah baked in Argentina. This matzah is widely distributed in Latin America. This company manufactures various types of matzah. All matzah is always an 18 minute product.

Manischewitz has whole wheat matzah meal and whole wheat matzah farfel. These items are made from *Manischewitz* UP whole wheat matzah. *Manischewitz* will again have a type of matzah *ashirah* known as grape

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TEMPERING

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would need to be given to a cohen who is a minor, or be left to rot until it becomes inedible. The way dough acquires tumah is as follows: A person's hands are considered tameh. Thus when one's hands touch dough, the dough is rendered tameh. This is only possible if the dough had previously been *muchshar likabel tumah*. In order for that to occur, the dough must have come in contact with one of seven liquids which include water. For example, when one is making bread, the water added to the flour makes the dough *muchshar likabel tumah*. If however one is making a cake where no water is added, then the dough would not be *muchshar likabel tumah*. Nonetheless, the common thinking is that since our wheat is tempered, the wheat will have become *muchshar likabel tumah* while it was a kernel. Whether this is in fact true and whether it applies to all grains will be discussed later in this article.

The Gemara (*Pesachim 40A*) states that it is forbidden to be *loseis*, which means to temper grain if it is to be used to make matzos for Pesach. The *liseesah* of Talmudic times involved pouring water on grains, mixing them together to help remove the bran, and then grinding it immediately. The gemara goes on to say that if one was *loseis* the kernels, they would only be forbidden *bidieved* if we saw that the wheat kernel had cracked. When a wheat kernel is about to germinate, the top part of it cracks open and soon begins to sprout. Once a kernel sprouts (*mitzumachos*), it is considered chometz gamur. When the kernel has cracked but has not yet sprouted (*bikuos*), the kernel is considered a *safek* chometz and is forbidden to be eaten on Pesach. If one did not sell it before Pesach and it was owned by a Jew, it would be forbidden even after Pesach as chometz *shebavar alav haPesach*.

The question raised by the Rishonim is that the Gemara (*Pesachim 40B*)



Tempering Machine

states that if wheat kernels were on a boat which drowned in a river and were subsequently retrieved, they would be forbidden to be eaten on Pesach. In contrast to the previously mentioned Gemara, there is no qualification here as to whether the kernels were cracked or not. Rabbeinu Ephraim, quoted by the Rosh (*Pesachim 2:27*) answers this apparent contradiction by suggesting that the reason kernels that have been subjected to *liseesah* are only forbidden if they are cracked is that during the *liseesah* process, the wheat is constantly worked with and is then milled immediately. In the case of the sunken kernels, they have simply been allowed to sit in water without being worked on. In such a case, the kernels are forbidden even if they did not crack. This view is accepted by The Shulchan Aruch (*O.C. 467:2*). The Hagahos Maimonis (*Hilchos Chometz Umatzah 5:6*) suggests an alternate approach. According to him, the difference between the two cases is that *Liseesah* only involves a relatively small amount of water (*zileefah muetes*) whereas

RYE AND SPELT KERNELS ... ARE NOT TEMPERED AT ALL

the kernels that drowned in the river were subjected to a very large soaking of water and are therefore forbidden even without any cracks. While, as mentioned, this is not the view of the Shulchan Aruch or *Nosei Kaylim* (see *Taz 467:3*), this view is cited by the *Biur Halacha* (467 D.H. *Dagan Zeh*). Quoting the *Beis Meir*, the *Biur Halachah* says that one could rely on this view to eat such kernels (i.e. non cracked kernels which were exposed to a small amount of water and not worked with) or the flour made from them on Pesach in a case of great loss.

We now need to describe the contemporary tempering process in slightly greater detail. When wheat kernels are received by the mills, they are cleaned with air, and then sent to a temper machine. The temper machine has rotating paddles which throw the kernels around while a nozzle sprays them with water. The paddles turn at great speed, allowing the water to penetrate the kernels as quickly and efficiently as possible. Any given kernel will stay in the machine for about 10 seconds. After it exits the machine, the kernel is damp, but barely so (I personally felt the kernels immediately following their exit from the tempering machine. They were damp but just barely. No moisture droplets were visible.) The wheat is then sent to empty temper bins where they simply sit for 8-32

hours to give the water time to evenly penetrate the endosperm. At this point in the process no water is added. The kernels do not generally crack as a result of tempering.

In light of the above, it would seem that these kernels should not be consumed on Pesach. They are, according to Rabbeinu Ephraim and the way the *Shulchan Aruch* has ruled, a question of chometz even if they are not cracked since they had been exposed to water and had not been worked with but rather left to sit. However, for those who do not wish to sell chometz gamur, selling flour would still be permissible as the kernels do not crack, and are therefore just a *safek* chometz. Moreover, even if one did not sell their flour at all, there is room to permit using the flour after Pesach. This is because the water is only exposed to a *zileefah muetes* such as that done by *liseesah*. As such, according to the *Hagahos Maimonis*, it could even be consumed on Pesach. While we do not follow this view, the *Biur Halachah* allowed its use in a case of great loss on Pesach itself. As such, in regards to the Rabbinic penalty of *chametz sheavar alav haPesach*, it would seem that there would be room to permit use of the flour. Rabbi Belsky agreed that we could permit the flour after Pesach. It should be noted that although some flour contains barley malt, which is chometz, the amount of barley malt present is always *batel* and cannot be removed. It is therefore not an issue.

Our discussion until this point has focused on wheat kernels being milled for regular white flour. Whole wheat flour may also have been tempered to keep the bran from becoming brittle, although with less water and for a shorter period of time (this is because brown flecks are not as undesirable in whole wheat flour, though there are other benefits to tempering.) Rye and spelt kernels, however, are not tempered at all. In fact, they are not exposed to moisture of any kind. As such, they could be purchased after Pesach without question from someone who did not sell their chometz. (We generally require kernels to be milled with "shemira" if they are to be used for Pesach, so regular non *shmura* rye and spelt flour should not be consumed on Pesach itself.) The exception to this is flakes. Rye and spelt made into flakes (not flour) are exposed to moisture and must be sold for Pesach.

While the lack of moisture on rye and spelt is good for Pesach, it is more problematic for challah. If one were to make a spelt cake where no water was used, the challah taken from that would not be allowed to be burned since it was not *muchshar likabel tumah*. In such cases, a small amount of water should be added to the dough to avoid this issue. As mentioned

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WORMS

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the permissibility of *tolayim* (parasites) found in the flesh of fish to any species of *tolaas*. The halacha states that a *tolaas* found in the flesh of a fish is mutar because of the rule of *minei gavli* [*Chulin* 67B], (that the parasite found in the flesh of the fish is permissible since it grew bigger in the fish) Rav Belsky cited Rashi in the Gemara as using the term *gavul* to mean that it “became bigger”, and he understood this to mean even if the worm originated and was visible to the naked eye outside of the fish, it would be permitted if it grew in the fish flesh. Rav Belsky felt there is no reason to believe the *tolayim* present today are any different from the *tolayim* discussed in *Chulin* and *S.A.* Rav Belsky felt this reason itself was sufficient to permit the matter, but added additional reasons to permit as follows:

On his audio presentation for OURadio

TEMPERING

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previously, wheat kernels are always tempered. The moisture applied during the tempering process is sufficient to render the wheat kernels and flour *muchshar likabel tumah*.

Oats and barley are not tempered either (except when they are made into flakes). However, oats, and sometimes barley, are steamed before being milled. This process

WHAT'S NEW

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matzah, in addition to traditional egg matzah. The grape matzah is made from flour and grape juice and may only be used when egg matzah is permitted, i.e. for Sefardim or those Ashkenazim who cannot eat regular matzah. It is so marked on the box. Manischewitz produces Passover Tams in two forms. The regular Tam Tams in different flavors are small egg matzah crackers coated with different flavorings. They are marked as Matzah Ashirah on the box. The Whole Grain Tams are regular matzah crackers coated with different flavorings. These are not Matzah Ashirah. ©P hand shmurah matzah will be available from Kfar Chabad and Rokeach. Manischewitz makes a product known as matzah crackers. Both of these are ordinary matzah products and not matzah ashirah. The various Israeli OU matzah companies will all be selling machine shmurah matzah as well.

Coca Cola will again be available with an ©P for Pesach. Aside from the New York metropolitan area, Coke will be available in Boston,

last year (available for review at www.ou-radio.org/index.php/ouradio/comment/9742/), Rav Belsky noted that Shulchan Aruch did not require one to be an expert in the *tolayim* found in the fish flesh to know how they got into the flesh, either from the viscera or from some other source. Rav Belsky further feels that it is irrelevant whether the *tolaas* entered from the viscera or from some other way, whether it happened when the fish was alive or after it died. As proof, he notes that S.A. (ibid) says that *tolayim* which come after the death of the fish are permitted. Rav Belsky felt these *tolayim* must have come from the *viscera*, because there was no other reasonable source for *tolayim* entering a fish after death and yet they are permitted.

Some are concerned that the *tolayim* found in the flesh are actually the forbidden *tolayim* originally found in the viscera (Shulchan Aruch forbids the *tolayim* found in the

prevents the oats from going rancid due to their high fat content. It also effectively eliminates the possibility of germination. This process would render the oats *muchshar likabel tumah*, and thus would not require the addition of water to be able to burn Challah taken from oat dough. Further, it would seem that this process would be similar to the process of *chalitah* which renders wheat incapable of becoming chometz. While we normally do not allow *chalitah*

Baltimore-Washington, Miami, Atlanta, Houston, Philadelphia, and Los Angeles. This year, in New York, Coca Cola items will be made with an ©P in 2 liter bottles. All these items, of course, require the ©P symbol. Most of the bottling plants servicing these markets will designate the Passover Coke items with a distinctive yellow cap in addition to the ©P symbol on the cap or shoulder of the bottle.

The Haddar line of Passover products has now received the ©P symbol. This year the Barton brand which was not available last year will be back again with the ©P. In addition Barracini has now received the ©P. A full line of Barracini candy items will be available with the ©P symbol.

This year the ©P will appear on various Cholov Yisroel dairy products. These include milk with the Best Moo label as well as a full line of Kahal dairy products. Norman's has introduced the ©P Machmirim brand of Cholov Yisroel milk and yogurt. In addition there will be ©P Cholov Yisroel goat cheese and sheep cheese from Barkanit and mozza-

viscera). Rav Belsky felt this claim is not based on any significant research. Rav Belsky felt that his own inquiries from qualified experts indicate that the opposite is true, and that the *tolayim* in question are found in the *flesh* while it was alive. Furthermore, Rav Belsky feels even *tolayim* entering the flesh from the viscera would be permitted as per above.

Rav Belsky confirmed that the size of the *tolaas* when it is swallowed by the fish is not relevant (even if it is visible while swallowed by the fish and visible when it migrates from the viscera). He also felt that reports that the *tolaas* is typically 5 mm is an exaggeration of the larger end of the spectrum recorded. He believes that nearly all of these *tolayim* when they are swallowed are between 1-2 mm long and quite thin (Rav Belsky felt they would be considered *ayno nireh V'aynayim* [halachically invisible]).

(*Shulchan Arcub* 453:5), if *chalitah* was done, the flour would be permissible after Pesach. Nonetheless, while the standard steam temperature for treating oats reaches or exceeds 212°, the steaming process has very different effects than the process of boiling items in water. Therefore, this should not be considered a form of *chalitah* and would not prevent the kernels from being considered chometz. Rabbi Belsky agreed that we could not consider this *chalitah*.

rella, provolone and pecorino cheese from Yotvata. Cabot Creamery will be introducing ©P cheddar cheese. This item is not Cholov Yisroel.

There will be two ©P brands of packaged cakes available this year. These will be Reisman and Lily's Bakeshop. Both are baked in a special Passover bakery and do not contain matzah meal. In addition, the Willmark line of industrial bakery products has been purchased by VIP and many of these items are appearing with the ©P label this year. Gedilla cookies and Gefen cookies will be available with ©P. These items are not made with matzah meal. Bernies Foods will have Frankels blintzes, waffles and pizza as well as LeTova Kichel and bread sticks. These are not made with matzah meal. Dayenu pizza, rolls and pierogies are made with matzah meal.

Season has introduced a number of new Moroccan sardine items in various sauces for Pesach. All of these items are made with Mashgiach Temidi and bishul yisrael. Tuna

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DAF NOTES

The Daf received the following two emails from Chavrei HaKollel in Yerushalayim concerning Rabbi Gersten's article in the previous issue of The Daf on Extended Irui. See Rabbi Gersten's response to the question Rabbi Moncharsh raises on page 30 of this issue entitled "An Extended Masah Umatan on Extended Irui".



Dear Rav Grossman,

I still can't stop thinking about the wonderful summer I spent at the ASKOU internship 4 years ago. I grew from it in many ways, especially understanding the practical issues involved in kashrus and hechsherim in general and a healthy respect for the OU specifically. I avidly read each month's *Daf HaKashrus*, especially the Halacha essays, they always provide much food for thought. My Halacha kollel is B"H very successful, and we will hopefully be starting *Isur V'Heter* in Elul. I'm sure I will frequently tap into knowledge I gleaned over that summer, and I hope I will be able to consult with the OU's experts regarding sheilos that come up.

I have a question regarding Rav Gersten's excellent article on kashering with extended *irui* in the most recent issue of the Daf, and I would appreciate it if you could pass on my question to him, as I don't have his email address.

Thank you very much,

Peretz Moncharsh, *Kollel Shaarei Horaah Yerushalayim*

Thank you so much for the Daf. I just spent this morning discussing the halacha of Ambati with my chavrusa in the Mir, Yerushalayim - and was very happy to receive your informative article about the topic the same day!

Yasher koach,

Yehuda Neuberger, *Kollel Mir Yerushalayim*

MAZEL TOV

to our dedicated RC **RABBI YISROEL PARETZKY AND HIS WIFE** on the engagement of their daughter Chana Fayga to Yechezkel Klein of Lakewood, NJ.

to our devoted RC **RABBI YONATAN KAGANOFF AND HIS WIFE** on the birth and bris of their son, Kalonymus Kalman.

to our dedicated RFR in Amsterdam **RABBI PINCHAS PADWA AND HIS WIFE** on the marriage of their daughter Malki to Avigdor Hofstetter of Antwerp.

to our devoted RFR in Brooklyn, NY **RABBI ELIA SOLOMON AND HIS WIFE** on the engagement of their son Simcha Shmuel to Chava Charack of Brooklyn, NY.

to our dedicated RFR in Chicago, IL Rabbi Shlomo Newmark and his **WIFE** on the marriage of their son Eli to Esti Gruman of Los Angeles, CA.

to our devoted RFR in Eretz Yisroel and China **RABBI MORDECHAI GRUNBERG AND HIS WIFE** on the upcoming marriage of their son Dovi to Temima Steinberg of Telzstone.

to our dedicated RFR in Houston, TX, **RABBI SAADYA KAUFMANN AND HIS WIFE**, on the birth and bris of their son Yaacov Rafael. Mazel Tov to the grandparents, Rabbi and Mrs. Reuven Nathanson devoted Senior RFR Los Angeles, CA.



KASHRUTH ALERT

MICHELE'S MAPLE CRÈME SYRUP, HONEY CRÈME SYRUP AND BUTTER PECAN SYRUP produced by Michele Foods - South Holland, IL bear an unauthorized ©. Corrective action is being taken. Consumers spotting these products are requested to contact the Orthodox Union at 212-613-8241 or via email

at kshalerts@ou.org.

BOUCHON BAKERY CINNAMON PECAN WAFFLE MIX produced by Williams Sonoma - San Francisco, CA was manufactured using dairy equipment, but the ©D dairy designation has been inadvertently omitted. Future packaging will be revised.

WILLIAMS SONOMA LOUNGE MIX (assorted Nuts) and **CLASSIC SUGAR COOKIES MIX** produced by Williams Sonoma - San Francisco, CA contains dairy ingredients as listed on the ingredient panel, but the ©D dairy designation has been inadvertently omitted. Future packaging will be revised.

Several **KC MASTERPIECE, HIDDEN VALLEY, and HV MANUFACTURING** brands of sauces and marinades will no longer be certified and the © has been removed.

WHAT'S NEW

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fish is available with an ©P from Season, Gefen and Mishpacha. In addition Shoprite ©P tuna fish in water will

be available. Season and Gefen will have ©P salmon in both regular and no salt versions. All these items are made with Mashgiach Temidim and Bishul Yisrael.

The OU position remains that extra virgin olive oil can be used without special supervision for Pesach. In addition, Bartenura, Carmel, Gefen and Mishpacha olive oil will be available with an ©P label. Mother's olive oil pan coating spray, Mishpacha olive oil spray and Manischewitz buttery safflower cooking spray, olive oil spray and olive oil garlic cooking sprays will also be available. Prepared olives with an ©P will be available from Gefen, Osem, Kvuzat Yavne, Gilboa and Mishpacha. Manischewitz is introducing two new flavored ©P olive oil products for Pesach. Bartenura will be introducing an ©P grapeseed oil this year. Savion has introduced a new ©P line of sauces known as Fireman's Frenzy. These include spicy marinades, salsa and spicy ketchup. In addition, VIP and Kojel will have ©P ready to eat soup in a bowl items.

The OU position remains that regular tea bags, which are not flavored or decaffeinated, are acceptable for Pesach without special supervision. In addition we have clarified once again this year that all Lipton decaffeinated tea bags are acceptable without special supervision. This is not true of other decaffeinated tea bags. Shoprite also has specially marked ©P plain tea bags on the market. In addition Sweet-Touch-Nee and Wissotsky will continue to have Pesach herbal teas. Nestea instant unflavored tea powder and instant unflavored decaffeinated tea powder are acceptable for Pesach without special supervision. **Some coffee companies add maltodextrin, which is either chametz or kitniyos, to instant coffee. As a result this coffee is not kosher for Passover. Only coffee bearing an ©P symbol or brands listed in the gray area of the OU Passover Directory should be used. Both Folger's and Taster's Choice instant coffee remain acceptable. Other brands should be checked in the Directory. Ground coffee remains acceptable from any source as long as it is unflavored and not decaffeinated.**

Pro Pak will be producing a line of ©P parchment paper and Plasti Made food storage bags.



LANDER COLLEGE QUEENS, NY

A Pictorial Essay



*Basar B'Cholov
The Isur Bishul and
the Isur Hano'oh
Rabbi Menachem
Genack*

*Greetings by Rabbi Yosef Grossman
and Rabbi Moshe Mashgiach Ruchani –
Beis Medrash L'Talmud –Lander College for Men*



*Safeguarding the Chain
of the OU Meat Supply
Rabbi Moshe Elefant*



*Shmlatz Is Us – A Discussion of Oils and Salad Dressings,
Rabbi Yoel Schonfeld and Gerry Kean –
Director of Technical Quality, Ventura Foods.*

*In-Town Kashrus Versus Out-
of-Town Kashrus, Rabbi Moshe
Tuvia Lieff – Rav of Agudas
Yisroel-Bais Binyomin, Bklyn*



*The Making of OU Kosher
Wine and Grape Juice – An
Audio/Video presentation
Rabbi Nachum Rabinowitz*



*The Baking Industry
Rabbi Yisroel Paretzky*



*Eating Foods that are a
Sakanah, Rabbi Noach Isaac
Oelbaum – Rav of Cong.
Nachlas Yitzchok, Queens*



*Current Consumer
Dairy Issues
Rabbi Avrohom Gordimer*



*A surprise guest – Rabbi
Mordechai Grunberg RFR
Israel and China reports on
Kashrus in China*

AN EXTENDED MASAH UMATAN ON EXTENDED IRUI

L'CHVOD RAV GERSTEN,

I read your article in the recent *Daf HaKashrus* regarding industrial kashering through extended *irui* with great interest and found it clear and concise. I also remember Rav Perlmutter describing to us a similar policy for using a steam hose to kasher with constant *irui* when I attended the ASKOU internship 4 years ago. However I would appreciate it if you could clarify one point. *Taz* (YD 95:12) proposes that *iruim harbeh* should create *bliyas* that permeate the entire thickness of the *kli l'chumra*, and this is a similar concept to what you are describing *l'kula*. However the vast majority of poskim disagree with the *Taz's* *chumra*, I am surprised that you follow the *Taz* as a *kula*.

PERETZ MONCHARSH

Rabbi Gersten Responded:

The Taz's chumra of many iruis (95:12) is referring to a platter that is used numerous times, but each time it is only used as a conventional kli sheini. Since each irui is only boleya a kdei klipa, without the chidush of the Taz, one would say that multiple uses do not cause more than a bliya kdei klipa. Obviously one cannot use the chumra of the Taz to create a kula. However, this should not be confused with an extended irui which creates the equivalence of a kli rishon al ha'aish which kashers the entire thickness of the kli.

The main source for your psak seems to be based on *Tosafos* (*Shabbos 40b*). However, *Tosafos* makes two seemingly contradictory distinctions between a *kli rishon* and *sheini*. *Tosafos* contrasts a *kli rishon* which has walls that are extremely hot because they were heated directly on an open flame with a *kli sheini* which has cool walls that cause the contents to rapidly lose their heat. In the case of an extended *irui* there are no cool walls to chill the contents, however certainly there are no hot walls either. Although *Taz* (92:30) allows use of a ladle for *hagalalah*, even though it was not heated by the fire, however *Chavos Daas* 92:27 disagrees. He does not allow *hagalalah* by pouring from a ladle since the ladle was not directly heated by the fire. *Igros Moshe* (YD 1:42) *paskens* like the *Chavos Daas* that there is no *bishul* without *דפנות מחממות*. If so how can we allow *hagalalah* with an extended *irui*?

... THOROUGHLY
ADDRESSED ISSUES
RAISED BY A SINGLE
CONSUMER

Rabbi Gersten responded:

Both a kli sheini and a kli rishon shelo al ha'aish are pots of hot water that will gradually cool down. Since it is difficult to distinguish between them, we require Tosafos's help to properly understand the distinction. Although they look almost identical, a kli sheini has difanos mikareros (walls that cool down the product) while a kli rishon shelo al ha'aish has difanos michamemos (walls that maintain the heat of the product). An extended irui is none of the above, for the simple reason that the walls of this pot will not cool down. So long as the irui continues, there is a heat source that is preventing the kli from cooling. For this reason it is most similar to a kli rishon al ha'aish.

The Taz 92:30 says that a ladle placed into a pot of boiling water

will also become a kli rishon, if left there until saturated with heat and the water in the ladle boils. Even though the ladle never came in direct contact with the fire, nevertheless it is considered a kli rishon al ha'aish since it is heated by a toldos ha'aish. In this same manner a pot which is constantly heated by an extended irui can be considered a kli rishon, and can be mivashel.

As regards the machlocks the Taz (92:30) and Chavas Daas (92:27), I believe the accepted halacha is like the Taz. The Shach (Nikudas Hakesef) and Magen Avrohom (O.C. 452:9) agree with Taz. It is also paskened by the Mishna Berura (452:20). Additionally, although the Chavas Daas (92:27) is machmir not to kasher with irui from a ladle, he agrees that one can perform hagalah inside the ladle itself even after it is removed from the pot (see end of Chavas Daas) even though the ladle never touched the fire. The Chavas Daas only takes issue with the irui from the ladle. An extended irui is more similar to the ladle itself and can therefore qualify as hagalah according to all opinions.

I still find it difficult to understand the rational for relying on constant *irui* to kasher a jacketed kettle or its lid which were *boleya issur* as a proper *kli rishon*.

Rabbi Gersten responded:

A jacketed kettle is not a proper kli rishon. Jacketed kettles are never touched by fire, but rather are heated by steam or hot water. They more closely resemble a ladle which is heated inside of a pot. Therefore, kashering jacketed kettles with an extended irui is acceptable since this is similar to the way they were boleya.

Your article implies that the necessary temperature for the outside of the pipes is when they "cease to increase", however unless they reach

roschim, they are cooling the *מ הגעלה* and cannot be considered a *kli rishon* by any definition.

VERY SATISFYING ...
BIGGEST KASHRUS
ORGANIZATION IN
THE WORLD...

Rabbi Gersten responded:

When the pipes reach equilibrium with the hot water, the layer of metal touching the water is the same temperature as the water. Although the pipe may not be roseyach throughout the thickness of the pipe, it is roseyach at its point of contact. Therefore, there are no difanos mikareros. As proof to this idea, when one kashers a kli by placing it in boiling water, there is no requirement that one leave it in there until the kli becomes saturated with heat throughout. One need only leave it in the boiling water for a few seconds, which is enough to heat the outside surface. Even though the center of the kli will certainly not be roseyach, it is enough to be maflit all the bliyas!

Additionally, since we kasher always at higher temperatures then the production, the pipes too will be hotter than they ever were before (k'bolo kach polto). So according to all opinions, this would be a kashering.

Thank you very much for your detailed response. It is very satisfying to know that the biggest kashrus organization in the world can take the time to thoroughly address issues raised by a single consumer.

Peretz Moncharsh

Kollel Shaarei Horaah Yerushalayim