KLI EL KLI B’LO ROTAIV
Part II

RABBI ELI GERSTEN
RC Recorder of OU Psak and Policy

REMA writes (Y.D. 92:8) that if a covered pan of milk is placed into an oven under a pot of meat, even though some zeiya escapes from the covered pan, bi’dieved all the food would be permitted. Rema compares this to two dry pots (one meat and one dairy) that touch, which is likewise permitted. The comparison is perplexing. How does this compare to two dry pots that touch, and why should zeiya not be a concern just because the pan is covered?

Pri Migadim (Y.D. m.z. 92:29) explains that if a dairy pot and meat pot touch, even if they are me’ziya (sweat) on the outside, such that there is a slight dampness between the pots, they are both still permitted. Chavas Da’as (92:20) elaborates that bliyos will only transfer between keilim if there is rotaiv, i.e. a liquid (אין בליעה הולכת מכלי אל כלי בלא רוטב), and dampness is not the same as rotaiv. So certainly, if the pots are not even touching, and all that is connecting the covered pots is dampness from zeiya, then certainly no bliyos will transfer. This explains why there is no transfer of bliyos from one pot to the next, but why isn’t the zeiya itself a concern?

A TRIBUTE TO RABBI CHANAN JACOBSON Z”L

RABBI MICHAEL M. MORRIS
RC, Dairy, Mashgiach Routing, RFR Ombudsman

The recent death of Rabbi Chanan (Clive) Pinchas Jacobson (59) has been mourned by his dear wife Yola (Berliant) and daughter Miriam, as well as the greater Englewood NJ community. I, too, have lost a good friend.

I don’t recall exactly when Clive and I met, but it was some fifty years ago.

THE OU VISIT
Being Prepared, Hosting, and Enjoying!

RABBI AVROHOM GORDIMER
RC, Dairy

SIMILAR to most government inspections, OU visits are unannounced. That means that a plant does not start preparing for its OU visit at a specific time; rather, a plant is always preparing and is always prepared.

When a plant is in this state of preparedness, OU visits are smooth, and the kosher program is basically hassle-free and can actually contribute to the overall quality assurance protocol as a welcome enhancement.

Here are some guidelines, which have proven to be crucial and of inestimable benefit in being prepared for OU plant visits and assuring that they go smoothly:

- Keep a current, updated file of letters of kosher certification for all ingredients. The file can be electronic. It is recommended that each document in the file feature or correlate with plant raw material codes, and that standard operating procedure include an update to this file upon every raw material change.

- Schedule A, the OU ingredient list, should likewise be linked with standard operating procedure for raw material changes, such that every raw material change includes Schedule A clearance.

- Schedule A often features ingredients that are certified kosher only when accompanied by lot-specified letters of certification. All such ingredients should be noted, with a live file for lot-specific letters of certification that covers all current inventory of these ingredients.

- Ingredients delivered in bulk liquid form are reviewed by the OU Rabbinic Field Representative (“RFR”) against schedule A by consulting bills of lading and receiving logs when at the plant. Please be sure that there is always someone on hand with ready
ago before we were bar mitzvah, back in South Africa. We lived in the same neighborhood. Although we went to different schools, different summer camps and were a grade apart, we had mutual friends and chetura and, somehow, together with our parents and siblings, seemed to be around each other during social gatherings. On Shabbos mornings, we davened with our fathers in their respective shuls. However, for mincha, the youth attended whichever shul offered the best activities and shalosh seudos.

As with all young men at that time, we faced a national military draft into the South African Defense Force, and we both attended the same chaplains’ boot-camp for a full course of basic training. Clive was transferred to serve at the Jewish Chaplaincy headquarters and I became a field chaplain for the greater Cape Town area, positions that we held for the remainder of our two-year service. The chaplaincy developed courses of shiurim, publications, Jewish videos and gave shiurim to the kosher kitchens that were established in bases across the country.

After the army, I joined the Johannesburg Beth Din as the Kashrut Administrator and Chanan performed various hashgocha jobs for us in the cheese factory, the matzo factory, slaughter house and in catering. He then left to study in Israel. Thereafter he relocated to RIETS where he completed his Semicha and Masters Degree.

Twenty five years ago, when I arrived in New York and joined the OU kashrut department, one of the administrative assistants at the OU heard that I was from South Africa and asked if I knew Chanan Jacobson. I couldn’t believe the small world. We renewed our friendship and I was immediately invited to spend Shabbos with the Jacobsons at the White Shul where he was interning.

My very first Thanksgiving turkey was together with Chanan, Yola and her mother, Rebhettzin Miriam Berliant. (It was so very tasty, that I thought it was a great American minhag.) The following year they moved to Englewood, NJ, where Chanan was the youth director at Cong. Ahavat Torah. Thereafter he taught in a local day school and also gave a course for converts.

Chanan’s kindness and solicitousness were proverbial – especially for me, and for which I will be forever grateful. Every Thursday evening, for my first two years living alone in Boro Park, Chanan would call to ask where I was spending the upcoming Shabbat. Was I invited out? If he detected a slight hesitation in my voice, he would insist that I spend Shabbat with them, which turned out to be quite often. He and Yola made their home mine, and that meant so much to me.

During his time at RIETS, Chanan became a close talmid to his Rosh Yeshiva, Rabbi Dr. Yechiel Michael Katz z”l. Rabbi Katz often asked Chanan if he could drive him to the various plants that he inspected on behalf of the OU. Based on his shinush and experience, Chanan was later assigned his own kashrut route in NJ. This past Chanukah, I invited Chanan to participate in my 25th anniversary celebration of working at the OU but, unfortunately, he was unable to attend as he was supervising a special run for Continental Seasonings.

Chanan’s outreach made him a memorable and beloved figure in his community. He was always ready to assist - blowing shofar in the hospital, reading megilla in someone’s home, bikur cholim, hashgocha and much more. At the back of my mind, I always felt the security that should I ever be stranded in Pennsylvania or some other local state, I could call on Chanan in the middle of a stormy night; and he would say that with one slight detour to pick up a big mug of coffee, he would be on his way to pick me up.

I miss him and share the grief of Yola and Miriam.
BITUL OF CHAMETZ ON PESACH

RAVIELGERSTEN
RC Recorder of OU Psak and Policy

CHAMETZ before Pesach is like any other issur in that it can be batel b’ishishim. However, if pirurim (crumbs) of chametz b’en might remain in the food, even if those crumbs are batel had b’tei, the chametz on Pesach will be chozer v’n’iyur. However, Rema (O.C. 447:4) writes that if the chametz is lach b’lach (either just ta’am from chametz or the chametz is completely dissolved) then once it becomes batel before Pesach, it will remain batel.

EXAMPLE: Non-Passover certified milk may contain chametz vitamins. If the milk was bottled before Pesach, the milk may be consumed on Pesach, because the vitamins dissolve in the milk (lach b’lach) and are batel. However, if the vitamins are added on Pesach, they are not batel. The milk may not be consumed.

EXAMPLE: Baby rice cereal might be produced using the same equipment as chametz cereals. If even one flake of chametz got mixed into the rice flakes, the chametz will be chozer v’n’iyur on Pesach.

WHAT IF THERE WAS NO YEDIAH UNTIL PESACH?

Yehi’ah Omer (Chatkek O.C. 10:35) quotes Nishmas Adam (26), Mekor Chaim, Mordechai and many other Achronim regarding chametz that was not nisbatel lach b’lach before Pesach, that even if there was no yediah until Pesach, nevertheless the chametz is batel.

EXAMPLE: Even if one did not realize that the milk had chametz vitamins added until it was already Pesach, nevertheless the chametz is still batel, since the vitamins were added before Pesach.

However, chametz that gets mixed in on Pesach proper will not be batel, aﬂu b’elef. There is a machlokes Rishonim as to why chametz is not batel on Pesach.

Rosh (Avoda Zara perek 5 siman 29 and Pesachim perek 2 siman 5) says that this is a chumra of chametz. Since people eat chametz all year, and yet on Pesach it is an issur kareis, therefore Chazal instituted that it will not be batel, to keep us further away from chametz.

Rambam (Ma’aacollos Assuros 15:9:12) writes that chametz on Pesach, is a davar she’y’eyish lo matrin, since chametz will become mutar after Pesach. Therefore, if chametz gets mixed into a food on Pesach, it will not be batel, no matter how tiny the amount. Although ordinarily a davar she’y’eyish lo matrin is only assur min b’mino, however in this case Chazal forbade chametz in all situations even shelo b’mino.

The Mordechai (brought by Rema Y.D. 102:4) explains that chametz is not a davar she’y’eyish lo matrin. Although chametz will become mutar after Pesach, it will become assur again on the subsequent Pesach. Since chametz will not stay mutar forever, it is not a davar she’y’eyish lo matrin.

One nafka mina between the Rosh and Rambam is in regards to chametz on the afternoon of erev Pesach. According to Rosh, since on erev Pesach chametz is only an issur lav, not an issur kareis, it can be batel b’ishishim. However according to Rambam, since it is a davar she’y’eyish lo matrin, it would not be batel. Achronim point out, that since Shulchan Aruch (O.C. 447:2) paskens that chametz on erev Pesach can become batel, this would prove that we do not consider chametz to be a davar she’y’eyish lo matrin.

If a mashehu of ta’am chametz gets absorbed into a food on Pesach, can that food be eaten the following year on Pesach?

Rebbi Akiva Eiger (O.C. Teshuva 26) points out that this would depend on whether chametz is a davar she’y’eyish lo matrin. According to Rambam, since chametz is a davar she’y’eyish lo matrin, just as one may not eat the food this Pesach, they may also not eat the food next Pesach. However, Shulchan Aruch paskens like the Mordechai that chametz is not a davar she’y’eyish lo matrin. Rather, the reason a mashehu of chametz is not batel is because of the sevara of the Rosh, that this is a chumra d’Pesach. When Pesach ends, the chametz will become batel. Once it is batel, it will be permitted even in subsequent years.1

THIS RULING HAS MANY PRACTICAL APPLICATIONS:

EXAMPLE: A company produces kosher-for-Passover chocolate (liquid eggs etc...) all year round. The chocolate is transported by tanker trucks. The tanker trucks require an upgrade wash (kashering) to be acceptable to transport kosher for Passover products. However, if the trucks are kashered on Pesach, the bagad olah is ineffective. The chocolate will still receive a biya of a mashehu of chametz and become assur to eat on Pesach. But since the tanker truck of chocolate anyways will not reach a consumer this Pesach, the question really only becomes relevant for next year Pesach. Regarding next year Pesach, the chocolate will be permitted.

EXAMPLE: An aino ben yomo chametz spoon is accidentally used to ladle out hot soup on Pesach. The pot and the soup bowls cannot be used for the duration of Pesach. However, they may be used next Pesach without kashering.

WHAT IS THE STATUS OF A SAFEK MASHEHU CHAMETZ?

Rema (O.C. 447:4) says that if bread fell into a barrel of wine before Pesach, even if the bread is quickly removed, the wine may not be used on Pesach, unless the wine is filtered before Pesach. This is because there is a possibility that a mashehu of a crumb may remain. If a crumb does remain, then on Pesach it will be chozer v’n’iyur.

Achronim ask, that this Halacha seemingly follows the opinion of the Rambam that chametz is a davar she’y’eyish lo matrin. Therefore, even a safek is assur as well. But if indeed we don’t pasken like the Rambam, then in a case where there is a safek as to whether a mashehu of chametz is there at all, shouldn’t we say safek d’rabbanan l’kula?

The Olas Shabbos answers, that the chashash of a crumb remaining in the wine is more than a safek, it is karov l’vadai. But really ל”א, if there would be a safek ha’dashkul, we would be matikel. Rebbi Akiva Eiger (Teshuva 26) offers another approach. Because the wine can be filtered, and will then definitely be permitted next Pesach, in this situation, everyone would agree that this is a davar she’y’eyish lo matrin. This is because the chametz will not assur next year, after it has been filtered out.

1 This is also the ruling of Mekor Chaim (447:5) and Reb Yitzchok Elchonon (Ayin Yitzchok siman 20). See Sais Chemed (Ma’aacollos Chametz siman 7).

2 However, Sefer Haishiv Moshe (O.C. 17) asks that perhaps the food should not be permitted next year, since at the time when the chametz was mixed in, it was not batel. So perhaps it should never become batel. Although the food will be permitted after Pesach, this is not due to bitul, but rather because chametz after Pesach is heter. His grandson (end of the teshuva) answers that the food will continue to be permitted next year Pesach as well, since Shulchan Aruch paskens that chametz erev Pesach is batel b’ishishim. Once the chametz is batel erev Pesach, it will remain batel for the duration of Pesach as well.

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ENZYME PRESENTATION

Rabbi Menachem Adler at Post Graduate Harry H. Beren ASK OU Program

Rabbi Avrohom Juravel has been conducting intensive post graduate Harry H. Beren ASK OU programs in Monsey, NY. Close to 20 advanced Bnei Kollel, many of whom have previously attended regular ASK OU programs, attend these weekly two hour shiurim. In a recent session Rabbi Juravel asked fellow OU colleague Rabbi Menachem Adler, an enzyme expert, to share his expertise with the group. The intensive presentation was very well received by the assembled. Yasher Koach Reb Menachem!

PRE-PESACH PROGRAM

Kew Gardens Hill

Harvey Blitz, Chairman of the Kashrus Dept. (seated front left) was the MC for the recent HHB ASK OU OUTREACH Pre-Pesach Kashrus program at Cong. Ahavas Yisroel in Kew Gardens Hills. To a packed shul and overflow in the Ladies section Rav Schachter and Rabbi Elefant delivered fascinating and very enjoyable shiurim on Dinei HaSeder and OUP products respectively.

PRE-PESACH PROGRAMS

Rav Belsky demonstrates Haseiba at HHB ASK OU Program in Flatbush

Rav Yisroel Reisman Morah D’asrah of Agudath Israel of Madison discusses the Pesach Seder

Rabbi Eli Gersten speaking at Bais Hamedrash Lev Avos in Lakewood

Rav Zvi Nussbaum at Lev Avos Pre-Pesach program
Hello Rabbi Bistricer,

We received a call from an Avreich in a kolel in Jerusalem where they are learning דיני כשרות.

He said that Rav Vie had told them to request the Daf Hakashrus from the OU.

Thank you
Rachel Stewart
OU Kashruth Israel

Hi Rabbi Grossman,

I wanted to thank you for putting together the event. Every student who attended expressed that they enjoyed the event and felt that they learned something new. I think it is fair to say that the event was a success. Tizku l’mitzvos! May Hashem give you the koach to continue doing the incredible work that you do.

Moshe O. Boroosan
Senior Staff Member, St. John’s Law Review
President, Jewish Law Students Association
J.D. Candidate, St. John’s University School of Law 2015

Dear Rabbi Feldman,

There are two main exemptions to the laws of bishul akum.

1. If a food can be eaten raw without the need for cooking, then even if it is cooked by a non-Jew it is permitted.

2. A food which is not oloeh al shulchan melachim i.e. fit to be served on the table of kings and officers. Although the main ingredients in cereals wheat, oats, rice and/or corn cannot be eaten raw, nevertheless breakfast cereals are permitted because they are not oloeh al shulchan melachim. The Rambam (Machalos Assuros 17:17) writes that a person does not invite his friend to a meal to serve him toasted grains. Rav Belsky and Rav Schachter consider breakfast cereals to be today’s equivalent of toasted grains.

Rabbi Eli Gersten

Over 40 ladies including some high school students braved the inclement weather to attend Rabbi Issar Mordechai Fuchs’ excellent Harry H. Beren ASK OU OUTREACH “Insect Free” workshop. The Daf received the email below from Dr. Yaakov Kader, who helped organize and promote the program in Edison, NJ.

Dear Rabbi Fuchs:

We were honored by your decision to come, your perseverance in braving the storm, and your warm and engaging style. My wife, and many others, felt your talk to be one of the best opportunities for practical learning they have been afforded in some time. I know I, and I think I speak for the shul, would be honored to have you back in the future. Thank you for the info re: the mesh. I will definitely follow up. A freilichin Purim and a Chag Kasher V’Sameach.

Yaakov

Hi Rabbi Ferrell,

We just finished speaking with Rabbi Friedman after he gave his presentation on Kosher Certification at our headquarters. The meeting was supposed to end at 3:30 but we all enjoyed asking questions and talking with him so much that he was willing to stay with us for an extra hour!

He was extremely knowledgeable and did a great job trying to understand some very complicated questions that we asked. Everyone in attendance learned a lot and we are feeling more confident after speaking with him. I really appreciate you setting up this opportunity for us to meet with him!

Thank you again,
Mary B. Reck
Product Compliance Coordinator
The Orthodox Union does not certify **REGAL SPICE HAM SOUP BASE** produced by Clark Associates, Inc. Lancaster PA. This product bears an unauthorized Ⓚ and is not kosher. Corrective actions are being implemented.

The Orthodox Union does not certify **CAFE ESCAPES CAFE MOCHA SPECIALTY K-CUPS** produced by Keurig. Some advertising for this product features an unauthorized Ⓚ. Corrective actions have been implemented.

The Orthodox Union does not certify **GRINBIN EDAMAMEFrijol de Soyasnacks** produced by Grupo Narcisa S.A. de C.V. Mexico bear an unauthorized Ⓚ. The Orthodox Union does not certify any Grinbin snacks, sold in Mexico. Corrective measures are being implemented.

The Orthodox Union does not certify **BERENTZEN** products. Some Berentzen Apple Liquor bottles produced by Berentzen, Haseleyenne Germany have labels with an unauthorized Ⓚ. Corrective actions are being implemented.

The Orthodox Union does not certify **MARKET PANTRY COOKING WINES OR WHITE WINE VINEGAR** produced by Target Corporation, Minneapolis MN. Some labels were mistakenly labeled with an Ⓚ. Corrective actions have been implemented.

The OU does not certify **PREMIER PARCHMENT PAPER** produced by Premier Food Packaging, Brooklyn NY and it bears an unauthorized Ⓚ. Corrective measures are being implemented.

The Orthodox Union does not certify **SALLY SHERMAN RAVIOLETTI SALAD** produced by Sally Sherman, Mount Vernon NY. Some Raviolleti Salad were mistakenly labeled with an Ⓚ. Corrective actions have been implemented.

The Orthodox Union does not certify **ENDICO BRUSSELS SPROUTS** produced by Ace Endico Potatoes, Brewster NY. Some boxes of Endico Brussels Sprouts are stamped with an unauthorized Ⓚ. Corrective actions have been implemented.

The Orthodox Union certifies **BEECH-NUT STAGE 3 CINNAMON RAISIN GRANOLA** produced by Beech-Nut Nutrition Corporation, Amsterdam NY when bearing the Ⓚ. Some Stage 3 Cinnamon Raisin Granola were produced without the Orthodox Union’s certification and those labels do not have an Ⓚ on them. Consumers are urged to look for the Ⓚ before buying products.

The Orthodox Union certifies **CLOVER VALLEY SOUR CREAM & ONION FLAVORED POTATO CHIPS** produced by Dolgencorp LLC, Goodlettsville TN as an Ⓚ - Dairy product. This product contains dairy ingredients as listed in the ingredient and allergen statements. Some packaging was printed with a plain Ⓚ without the D - Dairy designation. Corrective actions have been implemented.

The Orthodox Union does not certify any **ROMI’S FARM PRODUCTS**. Romi’s Nabulse Cheese produced by Romi’s Farm Products, Paterson, NJ bears an unauthorized Ⓚ. Corrective actions are being implemented.

The Orthodox Union no longer certifies any **RIZO LOPEZ** products produced by Rizo Lopez Foods, Modesto CA.

### VISIT

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access to this documentation for review by the OU RFR.

► When review of temperature data is part of a plant’s kosher program, please be sure that there is always someone on hand with ready access to this data.

► It is absolutely critical that there be a designated (and knowledgeable!) plant contact for OU visits, as well as a backup contact. These contacts should not be clerical staff; rather, they should be managerial staff who have an intimate understanding of the plant’s operations, and who can pretty instantly get information for the RFR when they do not already know or have it.

► Internal plant formulas should correlate with Schedule A approval. In other words, verification that each formula has been cleared with and matches Schedule A should be part of standard operating procedure and should be built into the plant’s formula system. This is of incredible use in many ways, and it enables seamless formula review by the RFR during OU visits.

► Schedule B, the list of OU-certified products, needs to correlate with the development of new products and the termination of old products. Standard operating procedure for the plant’s product system should feature OU Schedule B approval/label approval for every new product, as well as notification to the OU upon every product termination and product name/label change.

► If product labels are not arranged in a manner that enables efficient and relatively quick on-site auditing, then a current, live collection of all product labels should be organized and maintained for review by the OU RFR when visiting.

► The plant’s OU visit contact should be sure to inform the RFR upon each visit of all recent and anticipated changes in the plant, whether in terms of new ingredients, new products, new equipment, or anything else.

These procedures have been proven successful. They prevent kosher errors, enable seamless and efficient OU visits, and protect the kosher and overall integrity of a plant’s operations.

### MAZEL TOV

to our dedicated RFR in Houston, TX **RAVIN SAADYA KAUFMANN AND HIS WIFE** on the birth and bris of their son Yosef Mordechai.

to our devoted RC **RAVI KALMAN SCHEINER AND HIS WIFE** on the wedding of their daughter Hinda Esther to Chaim Yosef Tabak of Brooklyn, NY.

to our dedicated RC **RAVI YITZCHOK MINCER AND HIS WIFE** on the wedding of their daughter Chana Malka to Zevy Kravetz of Monsey, NY.

to our devoted RC **RAVI NACHUM RABINOWITZ AND HIS WIFE** on the marriage of their daughter Michal to Yitzy Cohan of Brooklyn, NY.

### CONDOLENCES

to our esteemed Rabbinic Field Representatives, **RAVIN YOSSI & RAVI AVROHOM FLORANS** and their families on the recent petira of their father Reb Aaron HaLevi Florans of Brooklyn, NY.

to our dedicated RFR at Manischewitz **RAVIN YAakov HOROWITZ AND FAMILY** on the recent loss of his brother Yosef Shmuel Hutler.