

THE Daf HaKASHRUS



A MONTHLY NEWSLETTER FOR THE OU RABBINIC FIELD REPRESENTATIVE

לא באתני אלא לעורר

FOUR HA'AMADOS

RABBI ELI GERSTEN

RC Recorder of OU Psak and Policy

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The Beis Yosef (Y.D. 115:end) cites this Tosefta and applies it to a related situation of one who used *chalav akum* to ferment four subsequent batches of kosher milk. Although the first three batches would be forbidden (*davar hama'amid*), the Beis Yosef rules that the fourth batch is permitted. He explains that after three dilutions, one may assume that none of the original *chalav akum* remains in the fourth batch. In order for a *davar hama'amid* to make something forbidden, some amount of the *davar ha'assur* must remain in the mixture. Since, after four *ha'amados* it is possible that none of the original *issur* remains, it is no longer considered *hu'amad b'issur*. For this same reason, the OU permits arranging four *ha'amados* even *lichatchila*, and does not view this as *bitul issur*.

This ruling of the Beis Yosef seemingly contradicts a *halachah* brought by the Magen Avrohom 442:9, that if *chametz* is used as a *ma'amid*, even after 5 *ha'amados* or more, it will always be *assur*. Achronim offer two possible approaches. The Dagul Mirivava (Y.D. 115) explains that the Beis Yosef's ruling is specific to *chalav akum* or similar *issurim* which are only forbidden because of a *safek* (maybe no *chalav tamei* was added or maybe the baker sold his sourdough). However, if the *issur* is an *issur vadei*, such as *chametz* or *neveila*, it

THE TOSEFTA

(Pesachim 2:1) writes that after Pesach one may not purchase bread from a bakery that is suspected of not selling its sourdough, until the fourth batch

of dough is made. The logic for this is that even if the sourdough had not been sold and became *chametz she'avar ha'Pesach*, the forbidden sourdough would be *batel* in the first three batches.

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I read Rabbi Gersten's article about powdered milk in the December edition of *Daf Hakashrus* and feel it is important to point out that some butter has starter distillate added to it. This is a dairy non-cholov Yisroel product. Even for those that are lenient with butter, because it does not require cholov Yisroel, the starter distillate would pose a problem. Also some butter is made with whey cream. This too would pose a problem for those stringent with cholov Yisroel.

In addition, since they use the same pasteurizer for the cream, as they do for the non-cholov Yisroel milk, whoever is stringent on cholov Yisroel, should also be stringent on butter.

Rabbi Avi Juravel

Rabbi Juravel is of course correct. Today's butter is much more complex than what was discussed in Shulchan Aruch. The intent of the article was only to compare the halachos of powdered milk to those of butter, but was not meant to address the practical issues with today's butter. It should also be noted that powdered milk should only be purchased with a hechsher, because of possible concerns with the kashrus of the spray drier.

Rabbi Eli Gersten

DAF NOTES

This exchange, between Dr. Rafael (Richard) Conway and Rabbi Yaakov Lach, a close talmid of Rav Belsky zt"l, a former OU Kosher Rabbinic Coordinator and author of Chullin Illuminated, pertains to Hilchos Treifos in Yoreh Deah.

I am a retired MD, who has been trying to finish Shas and I have been listening to the OU Daf Yomi from the previous cycle and now I am in *Ailu Traifos*.

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100 years of Kashrus Expertise בלע"ה (L - R) Rabbi Juravel, Rabbi Rabinowitz, Rabbi Grossman and Rabbi Zywicka (in absentia) receiving plaques for 25 years of dedicated service to the OU at the recent OU Chanukah Employee Appreciation Lunch.

LO BASI

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Teshuvah Chasam Sofer (O.C. 108) writes that the leniency only applies to *chametz she'avar ha'pesach* and *chalav akum* which are more lenient prohibitions, but cannot be applied to a Torah prohibition such as *neveila* or *chametz* on Pesach.

However, if the *chametz* (or *neveila*) is not the only *ma'amid*, but rather the *ha'amada* is produced through a combination of both *issur* and *heter*, such that the *issur* alone cannot cause the desired fermentation, this is considered a *zeh v'zeh gorem* (a dual causation) and the *chametz* is not considered a *ma'amid* and would be *batel*. Although it is not considered appropriate to give hashgacha based on *zeh v'zeh gorem*, since this is a form of *bitul issur*, however in such a case we can permit arranging such a production if it is produced via four *ha'amados*. Rav Schachter reasoned that *zeh v'zeh gorem* which *m'ikar ha'din* is permitted is surely more lenient than being *ma'amid* with *chalav akum*. Since *chalav akum* is permitted *lichatchila* to be used to be *ma'amid* a fourth batch, surely *issur* which is only a *zeh v'zeh gorem* is permitted as well.

In order to qualify for the heter of "three *ha'amados*", there are two more conditions that must be met.

- ▶ Rav Belsky ז"ל and יב"ל Rav Schachter ruled that the *davar hama'amid* must be *batel b'shishim* in all three steps. The

would be forbidden even after 5 or more *bitulim*.

first batch must be inoculated with less than 1.6% *chalav akum*. The second batch must be inoculated with less than 1.6% of the fermented milk from the first batch and the third batch must be inoculated with less than 1.6% from the second batch.

- ▶ One may not add all the contents of any of the batches to form the subsequent batch. This is because we have mentioned earlier that the *sevara* to be *maikel* is based on the possibility that none of the *issur* remains in the final product. But if for example all the contents of the first batch are added to the second batch, then we cannot say that perhaps the *issur* did not transfer. Rav Schachter said that not only can they not add all the contents, but even *rov* (more than 50%) would also be problematic, since *rubo k'kulo* (the majority is like the totality).

FOR EXAMPLE: Often in industrial fermentations a culture is scaled-up slowly in multiple steps. For example, a tiny speck of culture might first be added to a 10 ml test tube (*batel b'shishim*). Once the contents of the test tube are sufficiently fermented, the contents will be poured into a 1 liter flask (1:100). Once the desired level of fermentation is reached in the flask, the entire



contents will be added to a 100 liter seed fermenter (1:100) and finally those 100 liters will be added into a giant 10,000 liter fermenter (1:100). Although in this example, we will have 4 dilutions, each into more than *shishim*, nevertheless if the original speck of culture was *issur*, the final product would be *assur* as well. This is because in this case, we cannot say that perhaps none of the original *issur* remains in the final product. Since the entire contents of each fermenter were added to the next, we know with certainty that the *issur* remains in the final batch as well. The proper arrangement would be to use less than 50% of each batch for each subsequent stage.

MAIL

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The Art Scroll Gemara 48b4 brought sources to explain how a needle could travel from the trachea to the liver via the circulatory system from *Chullin Illuminated* and *Sichas Chullin*, which seem improbable.

The suggested path is from the bronchus to the pulmonary artery and then against a pressure gradient into the right ventricle, the right atrium and the vena cava to the liver. Though not as high pressure as the systemic circulation, there is still a significantly higher mean pressure in the right ventricle than the right atrium.

I would propose another more likely path for a needle to arrive in the liver - from the bronchus into a pulmonary vein and then into the left atrium and then through a structure, which in humans is called the foramen ovale, into the right atrium and then

retrograde into the vena cava and the liver. The left atrium pressure is higher than the right atrium and within the wall separating these chambers is a structure called the foramen ovale, which is open during fetal life, presumably in all mammals, to allow oxygen rich blood from the mother to flow from the baby's umbilical vein into the vena cava into the right atrium and through this foramen ovale into the left atrium and the systemic circulation.

After birth this opening usually closes but the closure is thin and easily penetrated. I believe it is punctured when cardiologists pass a catheter through a vein in the groin to treat arrhythmia originated in the left atrium and pulmonary veins. The only retrograde travel for the needle would be within a low pressure system from the right atrium to the vena cava to the liver and during the respiratory cycle there are times when these structures are at nearly the same pressure. It is

also not impossible that a cow with a needle in the liver might be one where this passage remained open as it is one of the most common congenital heart defects in humans.

May you continue to be Marbitz Torah for many years,

Rafael [Richard] Conway,
MD, MPH,
Dipl. American Board of Family Medicine

Dear Dr. Conway,

I'm very excited about this p'shat. Definitely a better approach. And a puncture in the heart muscle itself will leave the animal kosher, so all is well.

Thanks for sending this to me! I'll pass it on to the author of *Sichas Chullin*.

Thank you,
Yaakov

OU SHABBOS FOODSERVICE GUIDELINES

RABBI YERMIA INDICH

RC Foodservice, Beverages, Chemicals

The following are various guidelines for issues that sometimes arise on a Shabbos Job. A Shabbos mashgiach should review them in order to be prepared for situations that may arise on Shabbos.

- ▶ All menus should be looked over before Shabbos to see if there are any issues that will arise, such as, a *kiddush* with milk and things such as gefilte fish or potato kugel. If the milk has to stay out at the *kiddush*, then the kugel or gefilte fish or anything else must be made pareve.
- ▶ Breakfast must not have any hard cheeses since a 6 hour wait will be necessary and there will not be a 6 hour wait until lunch on Shabbos.
- ▶ Any food taken out of a warmer that is plugged in, may not be returned under any circumstances.
- ▶ If only part of the food in a pan of food is needed, the pan may be slid out halfway, some food taken out and the pan may be put back, as long as it was not pulled out completely.
- ▶ Any plug that came out of any piece of equipment may NOT be put back in regardless as to whether the food is fully cooked or hot. It makes no difference.
- ▶ If a hot water urn in the dining room is empty and is still plugged in, if there is another urn in the kitchen, hot water may be taken from the urn in the kitchen with a pitcher that is completely dry and poured into the empty urn in the dining room, as long as there is no knob to adjust the temperature of the water. The on off switch on the urn should be covered with tape.
- ▶ No specialized cutting tools or kitchen utensils may be used on Shabbos, i.e. sifter, grater, or specialty cutting utensils made for specific purposes. However, a melon ball scooper, or an ice cream scooper may be used on Shabbos.
- ▶ Cans of whipped cream may not be used.
- ▶ Hot gravy that has been on the stove all night may be poured on top of chicken or meat on a plate.
- ▶ Parsley or any other uncooked vegetable may not be sprinkled on top of a hot piece of chicken or meat. Fresh dill or parsley may be put into a *kli sheini* or *shelishi*, but not dehydrated, because dehydrated vegetables cook much easier and are considered *kaley habishul*. Parsley may not be sprinkled on hot gravy which is on top of the hot meat because the meat is a *dovor gush*.
- ▶ A fully cooked pot of food may be uncovered and covered again on Shabbos even though the pot of food is still on the fire. This is not considered as stirring the pot which would be assur, and covering it again is permitted. However, since it is very difficult to watch the chef in a hotel setting constantly and some chefs are so quick to do things before the mashgiach can even see, it is not recommended to permit this to be done. If it was already done and the pot was uncovered, the chef can cover it again.
- ▶ Knives may not be sharpened on Shabbos, even without the use of a tool, and they may not be sharpened by rubbing two knives together.
- ▶ Food may be rewarmed on Shabbos day in a few ways. An oven

that is off may be opened and fully cooked foods may be placed in the oven to be kept warm.

- ▶ A regular, non-convection oven that is on with no food in it may be opened by a non-Jew and fully cooked dry foods may be placed on the door of the oven to keep the food hot. The oven can only be opened by the non-Jewish worker. If the chef wants to cover the sheet pan on the door with foil, the mashgiach must be very careful in making certain that they don't cover the sheet pan completely around and that one side is left uncovered, so as to avoid the problem of *hatmonoh*.
Fully cooked dry food may also be placed on top of the convection oven to keep warm or on the stove top if there is a blech and there is a pan 4 inches above the blech.
- ▶ Dishes may be put into a warmer and heated up on Shabbos in order to keep the food on the plate hot, but the dishes should not be made too hot in order to avoid any issues of bishul when it comes to putting other raw foods on the plate if it is too hot. The dishes may not be warmed up using a dishwasher.
- ▶ Salt may be added to a *kli rishon* which is NOT on the fire, and salt may be added to a *kli sheini*, even if there is a *dovor gush* in it. Dehydrated vegetables may not be added even to a *kli shelishi*.
- ▶ Wedges of lemon may not be placed around the rim of a water glass, as some people might not know the halacha and decide to make lemonade. Lemons may however be squeezed onto a piece of fish or other dish if it is in order to improve the taste or flavor, so lemons may be served on a plate with fish.
- ▶ It is permitted to make a swirl decoration on the edge of a plate or around a piece of chicken or other food.
- ▶ No *bachono* is permitted on Shabbos for *motzoi* Shabbos. The truck may not be loaded, but the utensils may be moved to the loading dock and left there, but not to be placed on the truck.
- ▶ The issue of washing dishes or utensils for after Shabbos has come up often and it is questionable. If the purpose of having the non-Jewish workers wash dishes is so that the caterer will be able to leave quickly after Shabbos, or that he won't have to pay his workers after Shabbos to stay late, then this would not be permitted as it clearly is *bachana* and *amira l'akum*. If, however the workers on their own choose to do the dishes so that they will be able to leave early, then it is *adyte d'nafshey*, and would be permitted. Since this is a very thin line between permitted and not permitted, the mashgiach must make an assessment as to the true motives of the caterer and workers. If he suspects that it is really not *adyte d'nafshey*, then he should instruct them that OU policy is not to allow the washing of dishes on Shabbos for after Shabbos. It takes much *yiras shomayim* for a mashgiach to really ascertain the true reason and he should be careful when making the determination.
- ▶ If a hotel requires that after the meal the ovens be turned off on Friday night or Shabbos day, the non-Jewish worker may turn off the fires since he is not doing it for the caterer, but for the hotel that requires it. Additionally, garbage may be removed from the kitchen even where there is no *eiruv* since it is being done for the hotel as they wish to maintain health department rules and cleanliness.
- ▶ Tea bags are not permitted to be used on Shabbos. Instant tea or tea essence may be used instead.
- ▶ Ice cream may not be placed on top of a hot piece of cake or pie.
- ▶ Fruits may be arranged on the skewer on Shabbos as it does not violate the *melecho* of *me'amer*. ■



KASHRUS ALERT

The Orthodox Union does not certify **GFS BLUE CHEESE DRESSING** (1 gallon jars) produced by Gordon Food Service, Wyoming MI. Some labels were printed with an unauthorized mark. Corrective actions are being implemented.

The Orthodox Union certifies **MCCORMICK BUTTER EXTRACT** with Other Natural Flavors 1oz. (UPC 52100070711) produced by McCormick & Co. Hunt Valley, MD as an - dairy product. This product contains a dairy ingredient as indicated in the ingredients panel. Some packaging was printed with a plain , without the D - dairy designation. Future packaging is being revised.

The Orthodox Union certifies **TERRELL'S SALT AND VINEGAR FLAVORED POTATO CHIPS** produced by Terrell's Potato Chip Co. Inc. Syracuse NY as an - Dairy product. This product contains a dairy ingredient as indicated in the ingredients list. A small number of this product was packaged in bags that have a plain , without the D - dairy designation. Corrective actions have been implemented.

The Orthodox Union certifies **FAIRWAY TIKKA MASALA SPICE BLEND** produced by Fairway, NY as an - dairy product. This product contains dairy ingredients as indicated on the ingredient panel. Some labels were printed with a plain , without the D - dairy designation. Corrective actions have been implemented.

The Orthodox Union certifies **CHEF OOH LA LA PIZZA MANIA MIX** produced by Blend Pak, Bloomfield KY as an OU dairy product. This product contains a dairy ingredient as indicated in the ingredients and allergens statements. Some packages were labeled with a plain symbol without the D - dairy designation. Corrective actions have been implemented.

The Orthodox Union does not certify **FRESH THYME BROCCOLI, CAULIFLOWER AND BRUSSELS SPROUTS** produced by Fresh Thyme Farmer's Market, Downers Grove IL. Some bags were printed with an unauthorized mark. Corrective actions are being implemented.

The Orthodox Union does not certify **AMERICAN SPICE YELLOW RICE** produced by American Spice Trading Company, Miami FL. This product contains a spice blend that is not kosher. Some labels were printed with an unauthorized symbol. Corrective actions are being implemented.



KASHRUS ADVISORY

The Orthodox Union certifies **DARION VINCENZI CHARDONNAY** produced by Nuove Distillerie Vincenzi, Italy when bearing an and an OU holographic sticker. A small number of Dario Vincenzi wines with the symbol were discovered to be missing the required Holograph sticker. These wines

are kosher and acceptable with inkjet code L. 10.03.16 on the back label.

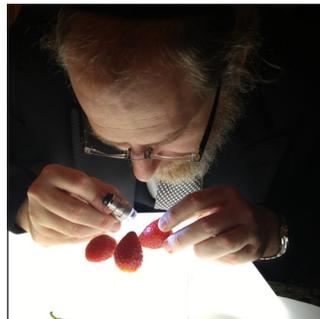
HARRY H. BEREN



OUTREACH

Bedikas Toyloim Techniques

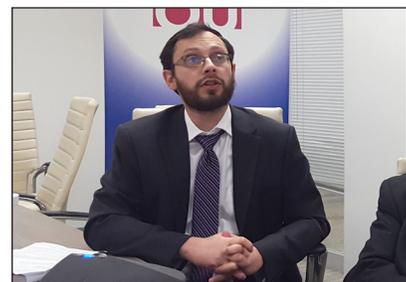
Rabbi Zvi Nussbaum demonstrates bedikas toyloim techniques at a recent Harry H. Beren ASK OU Outreach class in Riverdale, NY.



HARRY H. BEREN



SKYPE



Rabbi Mordechai Merzel conducts a Harry H. Beren ASK OU SKYPE presentation to Dr. Simons' Food Science class at Wright State University in Ohio. Dr. Simons later commented, "That was an awesome presentation. I really appreciated your time explaining Kosher to my students."



to our dedicated RFR in Atlanta, GA **RABBI YEHUDA BOROOSAN AND HIS WIFE** on the marriage of their son Avraham Tzvi Hirsch to Shira Kark.