



Daf HaKashrus

CONSUMER EDITION

A PUBLICATION OF OU KOSHER

WWW.OUKOSHER.ORG

ISSUE 9 | PURIM 5776

HAGAON HARAV CHAIM YISROEL BELSKY *zt"l*

Rabbi Menachem Genack, CEO, Rabbinic Administrator, OU Kosher

Reprinted with permission from Yated Ne'eman

An Appreciation

The Rambam writes about the *Ri Migash* that "his intellect in its knowledge of the entire Talmud was frightening." Rav Chaim Yisroel Belsky *zt"l*, too, had a frightening intellect, which included not only knowledge of *kol haTorah kulah*, but the scientific and mathematical background necessary to understand the Torah and to apply halachah to reality. (For a while, he even taught mathematics at Yeshiva Torah Vodaas.) Rav Belsky was the nexus between theoretical, abstract knowledge and practical, applied knowledge. Not only did he know Shas, he was actually a mohel. Not only was he a master of the halachos as written, he also knew how to shecht and do *nikkur* on an animal.

Rav Belsky had a scientific inclination and a curious mind that led him on a constant search for truth. If we were dealing with a *shailah* regarding *bittul b'shishim*, he would effortlessly calculate the volume of room-sized containers. When the question of the shaitels made from hair from India arose, Rav Belsky wrote several letters to Rav Yosef Shalom Elyashiv regarding the situation. Just reading these letters – the depth of his understanding, the elegance of his language – is a powerful lesson.



OU Halachic Consultant 1987- 2016

We once were dealing with a complicated *shailah* regarding tankers of oil imported from Asia. He bravely climbed a tall, narrow ladder to peer into a tanker of oil and calculate its properties.

He had a deep understanding of technology, and, for example, he could immediately pasken on the "Shabbos switch" (to which he was adamantly opposed). When an issue with the kashrus of fish was raised, Rav Belsky had the confidence, which came from his knowledge together with the kabbolah he received from his rabbeim, to allow the continued eating of fish. He sought out experts on the issue from the Museum of Natural History, and, as always, he stood for the truth as he saw it in the face of opposition. Absent his courage and knowledge, we wouldn't be eating fish today.

But in addition to his knowledge, what was unique about Rav Belsky was his concern for the most forlorn elements of society. In his combination of towering intellect with a great and capacious heart, Rav Belsky followed the model of Rav Chaim Brisker. Rav Chaim was the greatest mind of his era and single-handedly revolutionized Torah study with his analytical method. Yet, as my rebbi, Rav Yosef Dov Soloveitchik, described, Rav Chaim was the paramount *ish hachessed*: Rav Chaim's home was open to those rejected by everyone else, the poor and the sick, those shunned by society.

continued on page 3

IS YOUR OVEN KOSHER? - PART I

What Every Kosher Cook Must Know

Rabbi Yaakov Luban,
Executive Rabbinic Coordinator, OU Kosher

Reprinted with permission of Jewish Action Magazine (Winter 5756/1995 edition).
Modifications have been made in the present version to clarify some issues.

From the ancient *kirah* to our modern microwave, oven cooking requires specific *kashrus* knowledge. Rabbi Luban explains the *halachos* involved and provides a practical guideline.

A tasty food can be made inedible if not prepared properly. The same is true in the realm of *kashruth*. As we are meticulously careful to purchase only kosher food, the same degree of concern should be applied to the cooking process as well. This will insure that the food we eat is healthy for both body and soul.

As observant Jews we all maintain two sets of pots and pans for meat and dairy use. The one notable exception in most homes to this dual system of food preparation is the standard kitchen oven. While it is possible to use one oven for meat and dairy, certain *halachic* limitations and restrictions apply.



Perhaps you are wondering about two obvious questions. How does an oven become non-kosher, and how would a non-kosher oven affect the food prepared in it? A pot becomes non-kosher by absorbing *ta'am* *issur* (the taste of non-kosher food). Subsequently, otherwise kosher food prepared in a non-kosher pot will absorb the *ta'am* *issur* from the vessel wall. This is quite understandable for food that is cooked in a pot and makes direct contact with the vessel, but food cooked in an oven never touches the oven surface directly. How does the *ta'am* get in and out? Many people are perhaps unaware that there are three areas of concern regarding this question: *zeiah*, *reicha* and oven racks.

ZEIAH

When liquids are heated, they evaporate and turn into steam and other vapors. If a kosher plate is suspended above the stream of steam rising from a pot of clam chowder, would the plate become non-kosher? Alternatively, if the pot contained kosher chicken soup, would the plate become *fleishig*? These questions were addressed by the Rosh in a responsa written about 700 years ago. The Rosh rules that vapor retains the same status as the liquid from which it emanates, and he proves this from a Mishnah in *Machshirim* (2:1). The Mishnah deals with water that is *tomai* (ritually impure) that is heated in a bathhouse. The *zeiah* (vapor) that condenses on the walls of the bathhouse is considered *tomai* since the vapor evaporated from water which was *tomai*. From this *halachah*, the Rosh extrapolates that *zeiah* retains the same kosher status as the water from which it evaporates. Thus the *zeiah* of clam chowder and chicken soup are *treif* and *fleishig* respectively.

The *Shulchan Aruch* (Yorah Dayah 92:8) quotes this ruling of the Rosh. "If a pan of milk is placed under a meat pot and is heated in a *kirah* (an oven of sorts), the *zeiah* of the milk rises and is absorbed in the meat vessel, rendering it non-kosher." This *halachah* provides one response to our two questions: How does an oven become non-kosher, and how does a non-kosher oven affect the food? *Zeiah* is the villain. If one bakes chicken in an oven, the *zeiah* rises and is absorbed into the oven wall. Subsequently, a cheese casserole baked in

MARTIN NACHIMSON
President

HARVEY BLITZ
Chairman, Joint Kashrut Commission

RABBI MENACHEM GENACK
Rabbinic Administrator/CEO

RABBI MOSHE ELEFANT
Executive Rabbinic Coordinator/COO

RABBI YOSEF GROSSMAN
Senior Educational Rabbinic Coordinator/
Editor, *The Daf HaKashrus*

RENÉE ROSENFELD
Art Director

the oven will produce dairy vapor which will make contact with the oven surface. At this point, the oven has absorbed meat and dairy *zeiah* and is no longer kosher. Furthermore, the *zeiah* of the cheese casserole becomes *treif* since the dairy *zeiah* absorbs the *ta'am* of chicken from the oven surface. Eventually, the *ta'am* will circulate in the oven and make its way back down to the casserole rendering the casserole non-kosher as well.

The astute reader will detect a possible flaw in our analysis. The *Shulchan Aruch* posits that *zeiah* rises and is absorbed by the pot which is suspended overhead. This does not demonstrate that the *zeiah* of our hypothetical cheese casserole goes up and then comes back down to contaminate the casserole. While this distinction would seem plausible, the principle that *zeiah* circulates up and down in an oven is clearly established in a separate decision of the Rama (108:1). The Rama rules that food cooked in an oven previously used for non-kosher becomes *treif* whenever there is *zeiah*, even though the two foods were not in the oven at the same time. Thus, it is clear that *zeiah* circulates and thereby acts as a bridge through which *ta'am* is transferred from the oven surface to the food.

The case is not yet closed, and not all contemporary poskim agree with this conclusion. Our ovens are vented. Perhaps *zeiah* circulates only in an oven which is completely sealed but not in one that is vented. In 1954, Rabbi Chaim Shloss made this very argument to Rav Moshe Feinstein, zt"l. In a well-known response (*Igros Moshe, Yorah Dayah* I:40) Rav Moshe maintains that there is no halachic distinction between a vented and sealed oven. Rav Moshe demonstrates this from the Mishnah in *Machshirim*, which serves as the original source for the concept of *zeiah* in the responsa of the Rosh. The moisture on the walls of a bathhouse are *tomai*, even though a typical bathhouse has open doors which would allow the *zeiah* to escape. Obviously, an opening is not adequate to allow all the steam to escape. Similarly, we cannot assume that all *zeiah* escapes through the vent in the oven ceiling or wall.

Some contemporary poskim do not consider *zeiah* to be a concern in a vented oven, and the reader is advised to consult his rabbi on this matter.¹ Nonetheless, the view of many of the preeminent *poskim* of our times (Rav Moshe Feinstein, zt"l, *ibid*, Rabbi Yaakov Breisch, zt"l, in *Chelkas Yaakov* II:136 and Rabbi Yitzchok Yaakov Weiss, zt"l, in *Minchas Yitzchok* 5:20) is that the indiscriminate

use of an oven for meat and dairy cooking is not permissible.

In the previously cited responsa, Rav Moshe Feinstein tempers his ruling on ovens with two important qualifications: *Zeiah* does not circulate in the oven if

- a) the food is covered (see Rama 92:8), or
- b) the food is a dry substance.

to be continued

¹ For a lengthy analysis of this topic, see Rabbi Feivel Cohen's *Badei Hashulchan* (92:166 and *Biurim* pages 213-214).

HAGAON

continued from page 1

Rav Meir Bar Illan asked a number of rabbonim to describe the essence of the job of a rov. The

Aruch Hashulchan answered that the job of a rov is to pasken shailos. Rav Chaim responded that the job of a rov is to do chesed. When Rav Moshe Soloveitchik, Rav Chaim's son, first entered the rabbinate, his father told him two things: one, to pasken that a choleh who must eat on Yom Kippur can eat a full shiur, and two, to remember that the job of a rov is to care for the widows and the orphans. On Rav Chaim's epitaph, the words inscribed are "*rav hachessed*."

This was Rav Belsky. He, too, fought heroically for the underdog, the lonely, the embattled, those for whom no one else would care. He put his reputation on the line, time and again, to stand up for what he felt was right. He was the advocate for Russian Jewry, for the homeless and impoverished, for those he felt were innocent. He always stood his ground in his pursuit of justice.

Once, standing in the OU office, whose windows overlook the Statue of Liberty, he wistfully remarked, "I can swim from here to the statue and back." Rav Belsky was a powerful swimmer, who never hesitated to swim against the current. He was willing to take the unpopular position, to fight for what he felt was right, regardless of popular opinion.

Rav Belsky once related that when one of his younger children was born, the doctor asked, "Why do you have so many children?" To which Rav Belsky replied, on the spot, "We Jews are an endangered species!"

Rav Chaim Yisroel Belsky was truly an endangered species. He was a *yochid* in his generation, *sui generis* in his brilliance, his wisdom and his concern for every individual. He is indeed irreplaceable. *Mi yiten lanu temuraso?*

MIFUSTAR - IS IT MEVUSHAL?

Rabbi Eli Gersten, RC OU Psak and Policy

The kosher wine consumer knows that when shopping for wine, in addition to checking the bottle for a reliable *hashgacha*, they must also check to see if the wine is labeled *mevushal* or non-mevushal. Mevushal wine may be handled, and even poured by a non-Jew or a non-shomer Shabbos Jew; however non-mevushal wine, once opened, must be closely guarded, since it can become forbidden if left unattended.

Aside from mevushal and non-mevushal there is also a third designation, which although more prevalent in Israel, can be found in the U.S. as well, and this is the designation "*mifustar*". *Mifustar* is the Hebrew word for pasteurized. For example, the Kalil wines (OU) sold in the U.S. are labeled *mifustar*. The reason for this new description is because some poskim have questioned whether pasteurized wine qualifies as mevushal. To accommodate the consumers who want to be strict and not rely on pasteurization, the bottles are marked *mifustar*. Those who do not rely on pasteurization should treat these bottles as they would any non-mevushal wine.

There are three main arguments put forward as to why pasteurization should not qualify as mevushal.

Rav Elyashiv zt"l (Journal *Even Yisroel* 5751) argues, based on the *Rosh* (A.Z. perek 2), that cooked wine was only permitted, because in former times it was uncommon to cook wine. However today, pasteurization of wine is so commonplace, as to be considered the norm, so we can no longer consider this process an uncommon occurrence (*milsa d'lo shechi'ach*).

Rav Shlomo Zalman Auerbach zt"l (*Minchos Shlomo* I:25) ruled that pasteurized wine cannot be considered mevushal, unless the cooking causes a noticeable change in the taste, color or aroma of the wine. The process commonly employed today, known as flash pasteurization, is performed in a manner that very quickly heats and then cools the wine, such that even experts debate whether it causes any appreciable effect on the characteristics of the wine. As such it should not qualify as mevushal.

Rav Ben Tzion Abba Shaul zt"l (*Ohr L'tzion* II:20;19) argues that for wine to be considered mevushal, it must become lessened through the cooking. Because today's method of pasteurization is performed inside pipes that are part of a sealed system, the wine is in no way lessened through the cooking.

However, the prevalent minhag, as articulated in *Yebia Omer* (Y.D. VIII:15) is that pasteurized wine qualifies as mevushal [Rav Moshe Feinstein z"l required pasteurization to a temperature exceeding 175° F and the Tzelemer Rav z"l insisted on a minimum 190° F]. On this basis OU permits wines that undergo flash pasteurization to be labeled either as *mevushal* or *mifustar*.



Dedicated in memory of
**RAV CHAIM
YISROEL BELSKY zt"l**

**SENIOR OU KOSHER HALACHIC
CONSULTANT (1987-2016)**

Receive
**OU KOSHER
HALACHA YOMIS**

each workday

OUKOSHER.ORG/HALACHA-YOMIS-EMAIL/