

# HALACHICALLY SPEAKING

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{ TOPIC }

## Olives - Olive Oil and Chanukah



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# HALACHICALLY SPEAKING

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► Halachically Speaking is a monthly publication compiled by Rabbi Moishe Dovid Lebovits, a former *chaver kollel* of *Yeshiva Torah Vodaath* and a *musmach* of *Harav Yisroel Belsky Shlita*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

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# Olives - Olive Oil and Chanukah

As we all know, we use olive oil to light the *Chanukah menorah*. Recently, olive oil has become very popular for its health benefits. Olive oil has many other uses as well (see below). In previous years, its main purpose was as fuel for lamps. Aside from the *Chanukah* questions, there are other questions regarding olives and olive oil. Are there any restrictions with eating olives? How is olive oil made? What *beracha* is recited on olives? What are the different kinds of olive oil? Are there any *kashrus* concerns about olive oil without a *hechsher*? Why do we use olive oil on *Chanukah*? Is there a difference in which olive oil is used? If the price of olive oil is high can one light with other oils or wax? Does the olive oil have to be edible? Can one give his children wax as opposed to oil? Can one light some lights with olive oil and other lights with different oil? Can one light with an electric *menorah*? What are the customs regarding eating foods with oil on *Chanukah*? These questions will be addressed in this article.

## Olives in *Chazal*

Olives are mentioned frequently in *chazal* (see footnote).<sup>1</sup> Olives for pickling were more expensive than those for oil making.<sup>2</sup> Olives were pickled<sup>3</sup> or preserved in jars<sup>4</sup> or barrels.<sup>5</sup>

1. Refer to Bereishis 8:11, Chagi 2:19, Tehillim 52:10, Eyov 15:33, Nechemya 8:15, Meseches Berochos 7:12 and many more occurrences.

2. Refer to Tosefta Terumos 4:3.

3. Terumos 2:6.

4. Meseches Yevomos 15b

5. Meseches Bava Metziah 23b.

איך ללמוד ולהתנהגות על הלכה בלבד... (ברכות ח)

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## Buying Olives

Green olives are grown in many parts of the world such as California, Italy or *Eretz Yisroel*. Olives from *Eretz Yisroel* pose issues of *teruma*, *ma'aser* and *shemitta*. Olives even from other locales pose *kashrus* concerns since olives can be packed in brine which can be made with salt, acetic acid and vinegar. Therefore, olives require a *hechsher*.<sup>6</sup> If they are packed in salt or lactic acid no *hechsher* is required. This applies to both green and black olives (they are the same fruit but black olives remain on the tree longer).

## Eating Olives

The *Gemorah*<sup>7</sup> says that the frequent consumption of olives is one of the items which make one forget his *Torah* knowledge. This is brought in many *poskim* as well.<sup>8</sup>

Many *poskim* opine that there is no difference if the olives are pickled or raw.<sup>9</sup> According to *Harav Chaim Kanievesky Shlita*<sup>10</sup> one may eat olives once every thirty days and it is not considered “frequent.” There is a discussion in the *poskim* if one is permitted to eat olives frequently if he adds olive oil to them.<sup>11</sup> Many are lenient.<sup>12</sup>

6. [http://www.crcweb.org/liquor\\_list.php](http://www.crcweb.org/liquor_list.php).

7. Horayos 13b. For a detailed discussion on this topic see *Shemiras Haguf V'hanefesh* 8:1-4.

8. Magen Avraham O.C. 170:19, Ben Ish Chai Pinchas 2:17, Aruch Hashulchan 2:5, 170:15, Kaf Hachaim 157:27, Y.D. 116:168. Refer to *Shulchan Aruch Hamekutzar* 4:page 311:footnote 45 on why this is so. See *Vayeishiv Moshe* 1:73. When eating olives some *poskim* bring down a thought to think about (refer to Ben Yehoyada Horayos 13b:page 79b, Kaf Hachaim Palagi 24:43).

9. Opinion of Harav Chaim Kanievesky Shlita quoted in *Sefer Zikoron* 2:11.

10. Refer to Ben Yehoyada Horayos 13b:page 79b.

11. *Salmas Chaim* 501:page 214.

12. *Vayeishiv Moshe* 1:73, opinion of Harav Shlomo Zalman Aurbach zt”l quoted in *Halichos Shlomo Tefillah* 2:footnote 103. This is the opinion of the *Divrei Yisroel* 2:page 71 (end) as well.

The custom seems to be lenient with eating olives in any case.<sup>13</sup> The *Mor U'ketizah*<sup>14</sup> explains that the entire concern is eating raw olives as a meal. However, pickled olives (even in salt or vinegar)<sup>15</sup> as a snack are permitted.

The custom is to be lenient either because it is mixed with olive oil or is pickled.<sup>16</sup>

Eating olive tortilla chips are permitted and are excluded from the above discussion.<sup>17</sup>

### **Beracha on Olives**

Olives are not generally eaten raw and they taste better when cooked or pickled. Therefore, raw olives are a *shehakol*,<sup>18</sup> and cooked or pickled olives are a *ha'etz*.<sup>19</sup> After a *kezayis* of cooked or pickled olives, the *beracha acharona* is *al ha'etz*.

### **Olive Oil in History**

Olive oil was used for many things throughout our history. It is one of the seven species for which *Eretz Yisroel* is praised.<sup>20</sup> Olive oil was used to light the *menorah* in the *mishkan*.<sup>21</sup> In addition, it was used in the purification for a person who was recovering from *tzara'as*.<sup>22</sup> Olive oil was

13. Refer to Kovetz Bais Aron V'Yisroel 47:pages 125-126.

14. 170:page 75. This is the opinion of the Divrei Yisroel 2:page 71 (end) as well. Refer to Rivevos Ephraim 8:605. See Kaf Hachaim O.C. 158:27 who says to be stringent.

15. Kaf Hachaim O.C. 157:27.

16. Vayeishiv Moshe 1:73.

17. Harav Yisroel Belsky Shlita.

18. Shulchan Aruch O.C. 202:12, Mishnah Berurah 205:4.

19. Refer to Aruch Hashulchan 202:12, Sharei Haberacha page 555.

20. Devarim 8:7-8. Refer to Maharsha Meseches Horayos 13b.

21. Shemos 27:20, Bamidbar 8:2.

22. Vayikra 14:12.

איך ללמוד מה"ה בעולמו אלא י  
אמור של הלכה בלבד... (ברכות ח)



כל השומה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (מדה עב)

used as an ingredient in the *korban mincha*.<sup>23</sup> Olive oil was used to soften skins such as animal hides,<sup>24</sup> to gargle for a remedy of a sore throat,<sup>25</sup> to remove hair,<sup>26</sup> and a treatment for headaches<sup>27</sup> and stomach disorders.<sup>28</sup> It was also used to heal wounds.<sup>29</sup>

## How is Olive Oil Made?

### Background

Olives are harvested by shaking them off the tree onto a sheet on the ground. While more sophisticated facilities have a special harvesting machine. They are sent to the factory where the olives are placed on a vibrating table to remove leaves and other debris. A crusher grinds the olives into a paste. The oil is then removed from the paste through a process called centrifuge. Some vegetable oils are extracted from the seed of the vegetable, such as corn, soybeans, peanuts, hazelnuts, and sunflowers. Some vegetable oils come from the “fruit of the vegetable,” as in olives and palm. A variety of processes are used to extract oils. Olive oils are graded according to their acidity levels. The best-quality oils are called cold-pressed, a chemical-free process that involves only pressure and produces oils that are low in acidity. Extra virgin olive oil, a cold-pressed oil, is only one percent acid and is considered the finest and fruitiest of the olive oils. Extra virgin olive oil undergoes no refining process; the sediment is allowed to settle and the oil is sold as is.

23. Vayikra 2:1.

24. Meseches Bava Metziah 38b.

25. Meseches Berochos 36a.

26. Meseches Megillah 13b.

27. Tosefta Shabbos 12:11.

28. Meseches Sanhedrin 101a.

29. Yeshayahu 1:6.

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## Cold Pressing

Cold pressing is also known as physical or mechanical extraction, as it does not use processing aids. All varieties of vegetable oils are expressed through chemicals and heat. Cold pressing is unique to olive oil.

Olive oil is truly one of Hashem's unique creations. It is the only fruit oil that can be extracted through cold pressing. This means that the oil only needs to be squeezed out; no further refining is required before it is ready for consumption. Although the heavy grindstones and millstones that crushed and expressed the olive oil in ancient times have given way to mechanical crushers and centrifuges, cold pressing extraction has remained virtually unchanged. The olive oil's quality is rated by its acidity content. If there is little or no acidity, then this supreme quality olive oil is labeled extra extra virgin; up to .5% acidity, the oil is considered extra virgin, and from 1 to 1.5% acidity, virgin olive oil. The oil is filtered through a cold filter press and is ready to go. Extra virgin olive oil comes from the first pressing of the olive. Virgin olive oil comes from additional pressings of the olives. Pomace olive oil is extracted sometimes with the aid of solvents and enzymes from the remaining mass of pulp residues and pits of the olives after the initial pressings. This is the lowest quality oil and more concerns for adulteration. The Pomace oils are subject to more processing for refining in equipment that could of been used for non-*kosher* oils as well.

### **Beracha on Olive Oil**

One who consumes olive oil as is does not recite a *beracha* since it is damaging and not enjoyable.<sup>30</sup> This is true

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30. Meseches Berochos 35b-36a, Rashi "azukei," Shulchan Aruch O.C. 202:4, Shulchan Aruch Harav 202:10, Aruch Hashulchan 20, Mishnah Berurah 27. The opinion of the Rambam (Hilchos Berochos 8:2 is to recite a *shehakol*) see Kaf Hachaim 40, Ohr L'tzyion 2:14:1.

איך ללמוד להקציף? הבעולמו אלא יד אמות של הלכה בלבד... (ברכות ח)

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even if one eats the oil with bread.<sup>31</sup> However, there is a possible exception in a case where one eats a little bread with olive oil, and the oil is being consumed to soothe his throat.<sup>32</sup> The *poskim* debate whether a *beracha* is recited on the oil and no *beracha* on the bread.<sup>33</sup> The *beracha* would be a *ha'etz*, followed by an *al ha'etz* if one consumed the *shiur*.<sup>34</sup> Based on this, the *Aruch Hashulchan*<sup>35</sup> suggests that a *beracha* would be recited on olive oil because it would be a benefit in certain cases; perhaps their olive oil was better tasting than ours. Some *poskim* are of the opinion that our oil is better than in the time of the *Gemorah* and *Shulchan Aruch*, and one would recite a *beracha* on olive oil when eaten alone. However, this is not the accepted custom.<sup>36</sup>

### Olive Oil for *Chanukah*

The miracle of *Chanukah* was that olive oil was found after the victory against the *Yevonim* and it lasted eight days. Since the miracle happened with olive oil, it is preferable to use olive oil for the *mitzvah* of lighting the *menorah*.<sup>37</sup> In addition, olive oil produces a clear light.<sup>38</sup> Based on the first

31. Shulchan Aruch *ibid*, Mishnah Berurah 28-29.

32. Refer to Biur Halacha "im."

33. Refer to Mishnah Berurah 204:29 who brings both opinions. Also see Shulchan Aruch Harav 202:10, Igros Moshe O.C. 1:58, Sharei Haberacha 18:56.

34. Shulchan Aruch 202:4, 8, Magen Avraham 19, Shulchan Aruch 202:10, Ben Ish Chai Pinchus. 2:9, Mishnah Berurah 204:32, 47. Refer to Aruch Hashulchan 204:20 who does not understand why the Rambam holds one recites a *shehakol* on oil.

35. 204:21.

36. Refer to opinion of Harav Wosner Shlita quoted in Sharei Haberacha page 424:footnote 88, Ohr L'tzion 2:14:footnote 1. See Avnei Yushfei 1:42.

37. Rokeach 226, Darchei Moshe 673:1, Rama 673:1, Elya Rabbah 2, Leket Yosher O.C. 1:page 151, Yosef Ometz 1072:page 236, Moed Lechol Chai 25:15, Chai Adom 154:8, Kitzur Shulchan Aruch 139:4, Mishnah Berurah 4, Aruch Hashulchan 1, 6, Kaf Hachaim 13.

38. Meseches Shabbos 21a, Rama 673:1, Levush 2, Ben Ish Chai Vayeshev 1:12, Chai Adom 154:8, Kitzur Shulchan Aruch 139:4, Aruch Hashulchan 1, Orchos Rabbeinu 3:page 17:53. Refer to Teshuvos V'hanhugos 3:218.

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reason, one should try to use extra virgin cold pressed olive oil, which is the type of olive oil used in the *Bais*

*Hamikdash*.<sup>39</sup> Many oils do not burn cleanly. Nevertheless, one fulfills the *mitzvah* even if the flame goes out.<sup>40</sup> Therefore, all oils are permitted for *Chanukah*.<sup>41</sup>

## If Olive Oil is Expensive

Wax candles may be used if olive oil is very expensive.<sup>42</sup> Nonetheless, one should light with oil on the first night.<sup>43</sup> Others say that one should use olive oil even if it is very expensive.<sup>44</sup>

## Lighting With Wax

There are many circles that light with wax candles since their light is as clear as olive oil.<sup>45</sup> Some *poskim* say that lighting with wax is not acceptable.<sup>46</sup> However, this is not the custom, and lighting with wax is acceptable but not the preferred method.<sup>47</sup> Those who have the custom to light with wax candles should make sure they are long, since they

39. Harav Yisroel Belsky Shlita, see Halichos V'hanhagos of Harav Elyashiv zt"l (Chanukah) pages 7-8, Ashrei Haish 3:pages 238-239:13, Peninei Chanukah page 239, Teshuvos V'hanhugos 3:218.

40. Mishnah Berurah 673:1. Halichos Shlomo 2:15:1 footnote 1.

41. Shulchan Aruch 673:1, Chai Adom 154:8, Kitzur Shulchan Aruch 139:4. Refer to Meseches Shabbos 21a-21b. See Rivevos Ephraim 6:360.

42. Mishnah Berurah 671:7, Shar Hatzion 8.

43. Shar Hatzion 671:8, Kaf Hachaim 14.

44. Elya Rabbah 673:1.

45. Rama O.C. 673:1, Levush 2, Elya Rabbah 2 (says custom most light with wax), Kaf Hachaim 18.

46. Refer to Shar Hatzion 4.

47. Machtzis Hashekel 673:1, Elya Rabbah 673:2, Birchei Yosef 673:4, Mishnah Berurah 4, Aruch Hashulchan 6.

איננו להדליק את האות של הלכה בלבד... (ברכות ט)



look nicer.<sup>48</sup> The *Chai Adom*<sup>49</sup> says that wax is only permitted if there is no oil available.

## Lighting Some Oil and Some Wax

Some *poskim* frown on the practice of using both oil and candles on the same *menorah*,<sup>50</sup> as people will conclude that two people are lighting one *menorah*, and are not fulfilling *mehadrin min hamehadrin*. Others are lenient.<sup>51</sup> According to some *poskim* one can light on one night with oil and other nights with wax.<sup>52</sup>

## Olive Oil and Other Oils

One can light the *menorah* with some olive oil and some other kind of oil as well.<sup>53</sup>

## Prepared Wax Candles

One who prepared to light with wax candles and then received a supply of olive oil should light with the olive oil even if the *menorah* was already set up with the wax candles.<sup>54</sup>

## Does the Oil Have to be Yours?

There is a discussion in the *poskim* if one must own the oil used for *Chanukah* as opposed to borrowing it.<sup>55</sup> Some

48. Magen Avraham 672:3, Chai Adom 154:21, Birchei Yosef 673:4, 672:8, Mishnah Berurah 672:6, (not to long), Aruch Hashulchan 672:9, Kaf Hachaim 17. See Moadim U'zmanim 2:145.

49. 154:8. see Kitzur Shulchan Aruch 139:4.

50. Shar Ephraim 39, Elya Rabbah 673:1, Ben Ish Chai Vayeishiv 1:13, Beer Heitiv 1, Kaf Hachaim 21, V'yan Yosef 3:40:1.

51. Birchei Yosef 673:2.

52. Elya Rabbah 673:2.

53. Moed Lechol Chai 27:55, Shar Hatzon 673:1, Moadei Yeshurun 1:footnote 126, see Beer Heitiv 673:1.

54. Birchei Yosef 3, Sharei Teshuva 673:1. Refer to Halichos Shlomo Moadim 2:pages 286-287.

55. Refer to Sdei Chemed Chanukah 15:page 217.

כל השנה הלכות בכל יום מובטח להשתדל כי עולם הפא... (תדה עב)

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*poskim* maintain that one should make sure to pay for the olive oil,<sup>56</sup> while others are not convinced that this is so.<sup>57</sup>

If a guest needs to borrow oil from his host, he should either pay for it or ask that it be given as a gift in order to fulfill all opinions.

## On the Road

One who is lighting on the road (he is away for Chanukah) may light with wax candles.<sup>58</sup>

## Edible Oil

The opinion of some *poskim* is that the olive oil used for Chanukah should be edible.<sup>59</sup>

## Giving Children Olive Oil

There is a discussion in the *poskim* if children have to be given olive oil or if they can light with wax. The consensus is that giving them wax is permitted even *l'chatchilah*.<sup>60</sup>

## Shamash From Olive Oil

There is no need for the *shamash* to be lit with olive oil, and using a wax candle is permitted.<sup>61</sup>

56. Harav Yisroel Belsky Shlita, see Elya Rabbah 677:2, Pri Megadim Eishel Avraham 679:1, Biur Halacha 677:1, Ohr Yisroel pages 56-57. See Peninei Chanukah page 16 who quotes this as the opinion of Harav Elyashiv zt"l.

57. Refer to Pnei Meivin 223, Halichos Shlomo Moadim 13:footnote 12 and 29, Minchas Shlomo 2:58:1, Lehoros Nosson 1:30, 12:57.

58. Aruch Hashulchan 1, Avnei Yushfei 6:103:1.

59. Sheilas Rav 38:page 398:10, Peninei Chanukah page 140. Refer to Doleh U'mashka page 237:footnote 632.

60. Shevet Hakehasi 6:246:1, Teshuvos V'hanhugos 3:219:10, Doleh U'mashka page 238, Piskei Shmuos Chanukah page 34.

61. Doleh U'mashka page 238. Refer to Mishnah Berurah 673:2.

כל השנה הלכות בכל יום מובטח להשתמש בו עולם הפא... (מדד עב)

## Floating Wicks

Many people use floating wicks for *Chanukah*. Some claim that this is not preferable since the fuel for the flame is the wax coating on the wick, and only later does the oil start to burn. However, this is not the overwhelming opinion of the *poskim*.<sup>62</sup>

## Woman to Prepare the Oil

The *Gemorah*<sup>63</sup> says one who is *haragel b'ner* – accustomed to lighting (*Shabbos* and *Chanukah*) candles – will have children who are *talmidei chachamim*. Therefore, there is an opinion in the *poskim* that the wife should prepare the wicks and oil as a *segula*.<sup>64</sup>

## Olive Oil Under the Bed

One should not use olive oil which was stored under a bed unless the olive oil is bitter tasting. The reason for this is because there is “*ruach rah*” under a bed.<sup>65</sup>

## Hard – Jelled Olive Oil

A recent innovation is hard-jelled olive oil lights. The consensus of the *poskim* is that lighting with this is like lighting with regular olive oil.<sup>66</sup>

62. Halichos Shlomo Moadim 2:page 285:footnote 15, Shalmei Moed page 212, Chuko Mamtakim 1:page 321, Avnei Yushfei 6:103:8, Shoshanas Yisroel page 1:4, opinion of Harav Chaim Kanievesky Shlita quoted in Doleh U'mashka page 237, and the opinions of Harav Shlomo Zalman Aurbach zt”l and Harav Elyashiv zt”l quoted ibid:footnote 633, Ashrei Haish 3:page 241, Halichos V'hanhagos of Harav Elyashiv zt”l (*Chanukah*) page 9.

63. Meseches Shabbos 23b.

64. Moed Lechol Chai 27:25

65. Ben Ish Chai Vayeshev 1:12, Kaf Hachaim 673:11, opinion of Harav Chaim Kanievesky Shlita quoted in Ohr Yisroel page 58:footnote 218. Refer to Halichos V'hanhagos of Harav Elyashiv zt”l (*Chanukah*) page 9 who is lenient. Also see Rivevos Ephraim 3:460:14.

66. Shevet Halevi 9:143, Avnei Yushfei 6:103:2, Ashrei Haish 3:page 239:16, Mekadesh Yisroel 165. Refer to Teshuvos V'hanhagos 3:218, Shoshanas Yisroel page 1:2.



## Disposable Cups With Olive Oil

Another innovation is ready-made disposable glass cups preloaded with oil and wicks. These are permitted,<sup>67</sup> and it is not considered a disgrace for *Chanukah* and it looks like a proper arrangement.<sup>68</sup>

## Electric Lights<sup>69</sup>

Over the years the question about using an electric *Chanukah menorah* arose. The electric lights certainly burn as clearly as olive oil.<sup>70</sup> Most of the *poskim* who dealt with the question maintained that using such a *menorah* was not allowed (many of the reasons below were challenged but not accepted).<sup>71</sup> If no other options are available, one should light an electric *menorah* without a *beracha*.<sup>72</sup> We will detail some of their reasons below:

In order to light a regular fire, the lamp must be in the person's presence; this is not the case when it comes to an electric light.<sup>73</sup>

An electric light is like a torch, which is not valid for the *Chanukah* lights.<sup>74</sup>

67. Opinion of Harav Yisroel Belsky Shlita.

68. Shalmei Moed pages 212-214, Halichos Shlomo Moadim 2:pages 285-286:5:footnote 6.

69. In regard to lighting electric menorah on a plane on Chanukah see Rivevos Ephraim 2:180:6, 4:163:4, 49, 8:519. Regarding lighting with a flashlight in time of need see Mekadesh Yisroel 170.

70. Refer to Yechaveh Daas 4:38.

71. Bais Yitzchok Y.D. 1:120:5, Yaskil Avdi 3:17, Minchas Shlomo (Levin) 20, Yechaveh Daas 4:38, Yaskil Avdi 2:9, 3:17, Shearim Metzuyanim B'halacha 139:5, Sreidim (journal) 7:pages 32-45, Shoneh B'Shoneh (journal) 5736:pages 172-177, Kochvei Yitzchok 1:8-9, Divrei Yatziv O.C. 119:5-6, Rivevos Ephraim 2:180:7, 3:240, 4:66, 8:267:2, Mekadesh Yisroel 170, Peninei Chanukah pages 146-147 quoting the opinion of Harav Elyashiv zt"l, Yugel Yaakov page 124:footnote 197, ibid:pages 123-124 quoting the opinion of Harav Henkin zt"l, opinion of Harav Chaim Kanievesky Shlita quoted in Ohr Yisroel page 59:footnote 220 (end), Ohr Yisroel pages 55-56:footnote 220 in great depth, Journal of Halacha and Contemporary Society 25:pages 108-119 in depth.

72. Yabea Omer O.C. 3:35, Yechaveh Daas 4:38, see Tzitz Eliezer 20:45.

73. Beer Moshe (kuntres electric) 6:59.

74. Beer Moshe (kuntres electric) 6:60, Tzitz Eliezer 1:20:12:4, 20:19, 20:45, Har Tzvi O.C. 2:114:2.



The light of an electric menorah does not resemble the light which was used in the *Bais Hamikdosh* which had wicks and oil.<sup>75</sup>

Since one lights with electricity all year round there is no *pirsumei nisa* that the lighting is being done for *Chanukah*.<sup>76</sup>

The *menorah* at the time of the miracle was lit by a human, while this is lit by a machine.<sup>77</sup>

Those who wish to light an electric light in public to publicize the miracle should light at home with a regular *menorah* and then light on the street to publicize the miracle.<sup>78</sup>

### Foods Eaten With Oil – Doughnuts / *Latkes*

The *minhag* of eating doughnuts and latkes is a *zecher* of the miracle that happened with oil, since these items are made with oil.<sup>79</sup> *Harav Shlomo Zalman Aurbach zt"l*<sup>80</sup> said that in regard to *latkes* if the potatoes are still recognizable, then the *beracha* is *ha'adama*. If they are not recognizable then a *shehakol* is made. Furthermore, doughnuts that are eaten during the meal, even for dessert, do not require their own *beracha*.<sup>81</sup> The *poskim* advise that one should not eat a lot of doughnuts outside of a bread meal and if one wishes

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Lehoros Noson 11:17, Mishpatei Uziel 1:7, Yalkut Yosef 5:page 205, Techumin 9:pages 317-340. See Yerushas Pleita 7.

75. Refer to Kaf Hachaim 673:19, Yabea Omer O.C. 3:35, Yechaveh Daas 4:38, Meorei Haeish 5:2, Shalmei Moed pages 214-215, Halichos Shlomo Moadim 2:pages 283-284. See Tzitz Eliezer 1:20:12 who refutes this. Refer to Sreidim (journal) 7:pages 32-45 if the Chanukah lights have to be exactly as it was in the Bais Hamikdosh.

76. Yechaveh Daas ibid.

77. Kaf Hachaim 673:19.

78. Refer to Yechaveh Daas 4:38, Rivevos Ephraim 7:191:12, Mishpatei Uziel 1:7:2, Yugel Yaakov page 60:footnote 223.

79. Minhag Yisroel Torah 670, Natei Gavriel 51:12 footnote 13.

80. Halichos Shlomo Moadim 17:12. Refer to Avnei Yushfei 1:page 70, V'sein Beracha pages 407-408, Ashrei Haish 3:page 272.

81. Halichos Shlomo ibid 17:10, Ve'zos Ha'beracha page 4, Ohr L'tzyion 2:12:10.

כל השנה הלכות בכל יום מובטח לו שהוא בן עולם הבא... (מדה עב)

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to eat doughnuts at a bread meal he should have in mind to do so when he washes for bread.<sup>82</sup>

## Uncovered Oil

Many people prepare the oil for the *menorah* early in the day. In addition, they may use some leftover oil in the cup from the night before. The question is if using oil that was uncovered is in an issue.<sup>83</sup>

In the time of *Chazal* there was a concern that one should not drink water,<sup>84</sup> wine, milk,<sup>85</sup> and honey<sup>86</sup> that was left uncovered because a snake might drink from these beverages and inject some venom into them. Today, snakes are not commonly found and therefore, most of *klal yisroel* are not concerned for this *halacha* (except for *Kiddush*).<sup>87</sup> However, there are some *poskim* who say that even today one should be careful with this.<sup>88</sup>

82. Refer to V'sein Beracha page 496-497. In regard to *bishul akum* with doughnuts see Yechaveh Da'as 5:53, Rav Poalim Y.D. 9, Noam Halacha page 30 footnote 16. Harav Yisroel Belsky Shlita holds most big doughnuts are fried in oil and therefore considered cooked items rather than bread and would be considered *bishul akum* if prepared by a non-Jew. However, since big doughnuts are not served on a king's table they are permitted even if a non-Jew fries them. Small doughnuts which are served at catered affairs are fit for a king's table, therefore present a problem of *bishul akum*. Refer to OU Document A-105.

83. Shemiras Nefesh pages 70-74.

84. The Stiepler zt"l said uncovered beverages applies to beer (Orchos Rabbeinu 1:page 206:1). One should dry the droplets that are left on a glass after drinking (Orchos Rabbeinu 1:page 208:7). The Stiepler zt"l was not concerned with this *inyun* in regard to coffee and tea (Orchos Rabbeinu 5:page 129:5, see 1:page 206:17).

85. It is not applicable to cheese (Orchos Rabbeinu 1:page 207:2, *ibid*:3, 5:pages 127-129, see Shemiras Hanefesh page 43:47).

86. Meseches Chullin 49b. see *ibid* 10a, see Orchos Rabbeinu 1:page 207:3 who is lenient.

87. Harav Yisroel Belsky Shlita, see Tur Y.D. 116, Shulchan Aruch 116:1, Taz 115:10, Levush 1, Pri Chadash 1, Darchei Teshuva 8, Aruch Hashulchan 2, Pe'as Sudcha 86, see Prisha 22, Ben Ish Chai Bereishis 2:25, Kaf Hachaim 6, see Minchas Yitzchok 9:85. The Matei Yehonoson 116:1 says the reason why there is a *heter* if no snakes are around and one is lenient is because at the time of the *halacha* it was only made in a place where there were snakes. So if there are no snakes then one does not have to adhere to the *halacha* since it is not relevant anymore. If such a clause was not made at the time of the *halacha* then even if the reason does not apply the *halacha* would still be applicable.

88. Elya Rabbah 170:24, Pri Megadim M.Z. O.C. 170:10, Pischei Teshuva Y.D. 116:1, Nishmas

The *din* of uncovered beverages does not apply to oil. Therefore, one is permitted to use oil that was left uncovered for lighting *Chanukah neiros*.<sup>89</sup>

### **Kashrus of Olive Oil**

Extra virgin oil is packed at the source so presents no problem for *kashrus*. One may purchase such olive oil without a *hechsher*. However, any other form of olive oil must have a reliable *hechsher*. Most processed oils are often processed on the same equipment as non-kosher fats, are stored in the same equipment as non-kosher fats, and are shipped on the same carriers as non-*kosher* fats. Great care, therefore, must be taken to ensure that all these products carry a reliable *hechsher*.

### **Jews Compared to Oil**

The *Medrash*<sup>90</sup> says just as oil in the beginning is bitter and at the end sweet, so too Torah is hard at first and then one finds it sweet. Just as oil last forever so too Torah lasts forever. Just as oil cannot mix with other liquids, so too *Yisroel* cannot mix with other nations. Just as oil will rise to the top of other liquids, so too *Yisroel* are on top of all other nations.

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Kol Chai Y.D. 40, Kitzur Shulchan Aruch 33:5, Darchei Teshuva 6, Kaf Hachaim 170:82, Lekutei Maharich 1:page 225 (new), Oz Nedberu 5:45, Orchos Rabbeinu 1:page 206:17, 5:page 130:7 says the Steipler zt”l was very careful in this *inyun*. Refer to Rivevos Ephraim 5:11. This applies by day and by night (Rambam Hilchos Rotzeach V’shemiras Hanefesh 11:11). (If one is *makpid* there is no *heter* even for one’s *parnasa* (Shemiras Hanefesh page 38:10 quoting the opinion of Harav Chaim Kanievesky Shlita). Some are careful with fruits that have moisture as well (Rambam Hilchos Rotzeach V’shemiras Hanefesh 12:2, Tur Y.D. 116). Some say one should dry the water off a washed fruit (Shemiras Hanefesh page 42:35 quoting the opinion of Harav Chaim Kanievesky Shlita).

89. Shevet Ha’kehasi 3:200, Shiurei Halacha (Chanukah) page 17, Natei Gavriel (Chanukah) 18:18 (old).

90. Medrash Rabbah Devarim 7:3.

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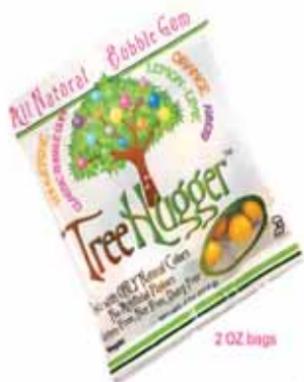
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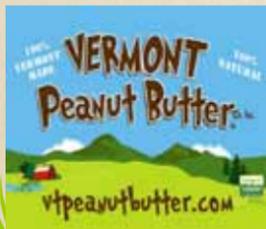
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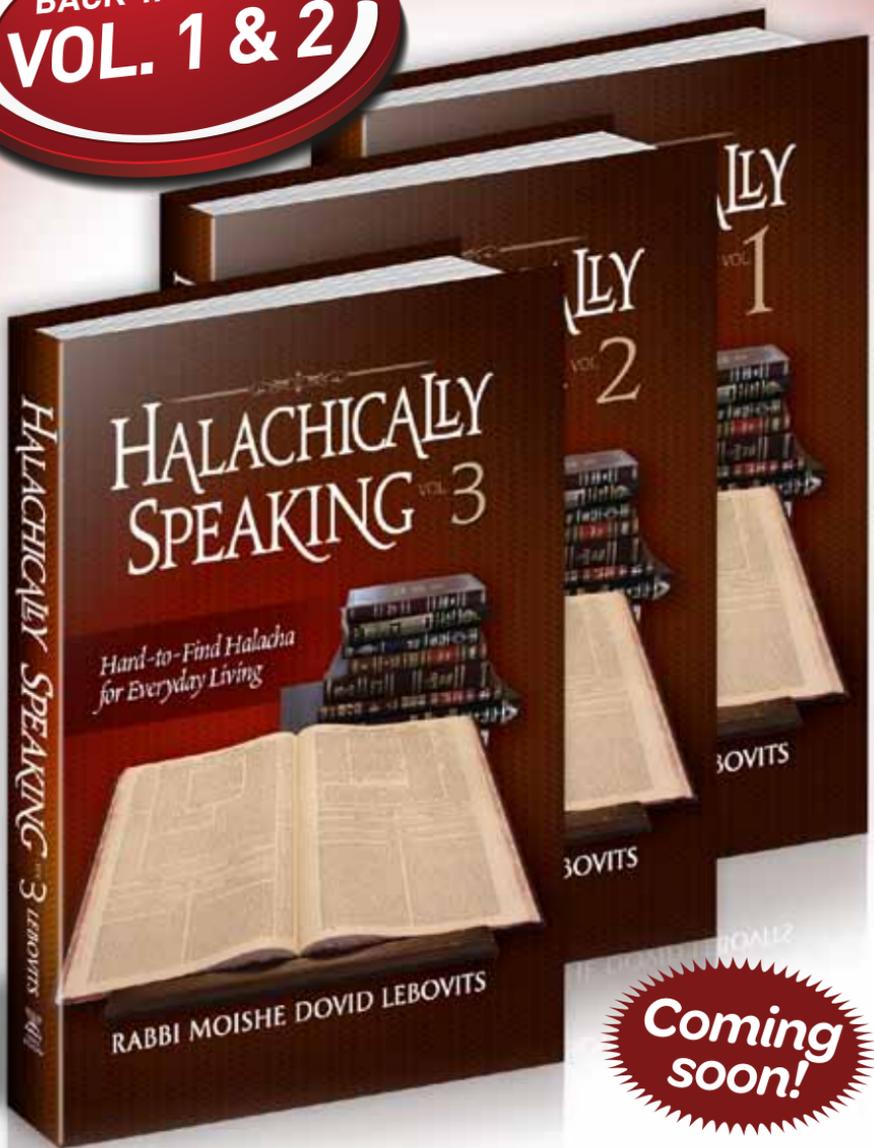
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