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{ TOPIC }

Summer Halachos Part 4



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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 zt"l*. Rabbi Lebovits currently works as the Rabbinical Administrator for the KOF-K Kosher Supervision.

► Each issue reviews a different area of contemporary *halacha* with an emphasis on practical applications of the principles discussed. Significant time is spent ensuring the inclusion of all relevant *shittos* on each topic, as well as the *psak* of *Harav Yisroel Belsky, zt"l* on current issues.

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Summer Halachos Part 4

The Three Weeks

One should not recite a *Shehecheyanu* during the three weeks; therefore, one should not buy any clothing which would require a *Shehecheyanu*.¹ However, if a child who starts camp before the three weeks begins has new clothing which he did not yet try on, he may take them to camp. The reason is that most of our clothing does not require a *Shehecheyanu*, and it is a time of need since the child needs clothing for camp.²

An adult may not give a child a haircut,³ since one should teach his children about the *Churban* if they can understand;⁴ however, if it is for the need of the child then doing so is permitted until the week of Tishah B'Av.⁵ For example, if a child did not take a haircut before going to camp and he is embarrassed by his long hair, he may take a haircut before the week of Tishah B'Av.⁶

1. *Kitzur Shulchan Aruch* 122:2, *Mishnah Berurah* 99, *Kaf Hachaim* 210. Buying a pair of glasses is permitted if your pair broke, which is common among children in camp (*Avnei Yushpei* 8:100:7).

2. Refer to *Ohr Yisrael* 48:page 97.

3. *Shulchan Aruch* 551:14, *Kitzur Shulchan Aruch* 112:3.

4. *Aruch Hashulchan* 31.

5. *Mishnah Berurah* 82. Refer to *Pri Megadim Eishel Avraham* 551:38, *Chinuch Yisrael* pages 234-235.

6. *Ohr Yisrael* 48:page 100:footnote 7. However, the haircut should be done before going on the bus to camp, etc. and not in front of others (*ibid*).

Music

It is customary to refrain from listening to music during the three weeks.⁷ This applies to tapes,⁸ radios,⁹ CDs or DVDs. Some *poskim* are lenient and permit even live music at a *seudas mitzvah*.¹⁰

One who wishes to listen to music while exercising to help exercise¹¹ or in a waiting room is permitted to do so.¹²

Children below the age of *chinuch* are permitted to listen to music. This applies to adults who are listening to the children's music as well (i.e. while driving in the car).¹³ In addition, a teacher in a playgroup may play music for her students who are under the age of *chinuch* during the three weeks.¹⁴ Furthermore, in a summer camp if certain activities for children require music then the child may listen to the music.¹⁵

7. *Aruch Hashulchan* 493:2, *Minchas Yitzchak* 1:111, *Halichos Shlomo Moadim* 2:14:3, *Rivevos Ephraim* 3:334, 4:177, *M'beis Levi* 13:page 19:5. Refer to *V'aleihu Lo Yibol* 1:page 198:321 which says it may not be *assur* to listen to music during this time.

8. *Igros Moshe O.C.* 1:166, *Yechaveh Da'as* 6:34, *Shevet Halevi* 8:127:2, *M'beis Levi* 13:page 19:6, *Halichos Shlomo Moadim* 2:14:3:footnote 4, *Shalmei Moed* page 478, *Chuko Mantakim* 1:page 348, *Ohr L'tzion* 3:25:2, *Yalkut Yosef* 5:pages 553-554, *Divrei Shalom* 6:piskei halachos 152, *Chut Shani Shabbos* 4:page 379, *Tzitz Eliezer* 15:33:2, *Toras Hamoadim* page 116, *Mekadesh Yisrael* 19, *Az Nidberu* 8:58, *Miyum Hahalachah* 1:85, *Divrei Shalom* 4:piskei halachos 80:page 259, *Beis Avi* 4:30, *Rivevos Ephraim* 4:177, 7:340:2, *Shevet Halevi* 6:69, *Kinyan Torah* 2:99, *Az Nidberu* 10:23:2, *Natei Gavriel* 15:1, opinion of Harav Shmuel Felder *shlit"a* in *Moadei Yeshurun* pages 3-4.

9. *Miyum Hahalachah* 1:85.

10. *Yechaveh Da'as* 6:34, *Toras Hamoadim* page 121:4.

11. Refer to *Mekadesh Yisrael* 23. The *Shevet Hakehasi* 5:99:2 says one who cannot work without music may listen to music during the three weeks.

12. Opinion of Harav Yisroel Belsky *zt"l*, see Harav Shmuel Felder *shlit"a* in *Moadei Yeshurun* pages 4-5.

13. Harav Yisroel Belsky *zt"l*. Refer to *Mekadesh Yisrael (Bein Hametzarim)* 22.

14. *Emes L'Yaakov* 551:footnote 506.

15. *Ibid.*

כל השנה הלכות בכל יום מובטח להשתדל לא עולם הפא... (מדה עב)

Singing is permitted during the three weeks.¹⁶ Some say that joyful songs should be avoided.¹⁷ However, in camp where the singing serves to uplift everyone it is permitted.¹⁸

Trips

A camp should not schedule a trip for pleasure during the three weeks.¹⁹ In most cases this is difficult, since the three weeks routinely fall during peak camp season, and it would be impossible to provide a proper camp experience.

It is a good idea not to plan a vacation during the three weeks.²⁰

Nine Days

One should not undergo surgery during the nine days because of bad *mazel*.²¹

Some mention to refrain from flying for non-business purposes.²² Going to Eretz Yisrael is allowed.²³

Wearing Laundered Clothes – Making Them Dirty

In sleepaway camp, usually right before the nine days begins, campers and staff realize they cannot wear freshly laundered clothing during the nine days and scramble to throw them on the floor, etc. Is this proper?

One may not wear freshly laundered clothing during the

16. *Mekadesh Yisrael* 20, *Chut Shani Shabbos* 2:page 325, *Shevet Halevi* 3:157. Refer to *Orchos Rabbeinu* 2:page 95:7 which is stringent and is only lenient on Shabbos.

17. *Chut Shani* *ibid*.

18. *Kol Hamisabeil Alehah* 2:footnote 16, *Halichos Shlomo Moadim* 14:footnote 8.

19. *Shevet Halevi* 10:26.

20. *Vayishma Moshe* 2:page 147 quoting the opinion of Harav Elyashiv *zt"l*.

21. Opinion of Harav Moshe Feinstein *zt"l* quoted in *Moadei Yeshurun* page 136:footnote 168.

22. *Emes L'Yaakov* 551:footnote 515.

23. *Ibid*.

כל השנה הלכות בכל יום מובטח להשתא בן עולם הנא... (נדדה עב)

nine days.²⁴ There are a number of means to prepare clothing for the nine days. One option is to wear the garment before the nine days start.²⁵ There is a difference of opinion as to how long one has to wear the garment. Some say that any time is good,²⁶ while other opinions require one hour,²⁷ a half hour,²⁸ and fifteen minutes.²⁹

Another option is to throw the garment on the floor in a way that it gets somewhat dirty.³⁰ One may step on it as well.³¹ Throwing it on a clean floor is insufficient.³² One may wear many garments at the same time.³³

Freshly laundered linen is also considered laundered clothing.³⁴

24. *Shulchan Aruch* 551:3, *Rama*, *Chayei Adam* 133:12, *Shulchan Shlomo* 7, *Kitzur Shulchan Aruch* 122:9, *Mishnah Berurah* 25, *Biur Halachah* "keilim," *Aruch Hashulchan* 14, *Yechaveh Da'as* 1:39, *Ohr L'tzion* 3:27:1. Refer to *Ohr Yisrael* 40:pages 53-59 in depth.

25. Refer to *Shulchan Aruch Y.D.* 389:1, *Ben Ish Chai Devarim* 1:6, *Kaf Hachaim* 90-91. See *Aruch Hashulchan* 389:6.

26. *Shach* 4, *Rivevos Ephraim* 3:340:1, *Avnei Yushpei* 3:58:1, *Harav Eider* *zt"l* on the *Three Weeks* page 9. Refer to *She'eilas Rav* page 386:3.

27. *B'tzel Hachachmah* 4:134. Refer to *Chut Shani Yom Tov*, *Chol Hamoed*, *Kibbud Av V'eim* pages 344-345.

28. *Yagel Yaakov* page 67, *Natei Gavriel* 34:3. Refer to *Nechamas Yisrael* pages 95-96.

29. *Ibid.* Refer to *Mekadesh Yisrael* 90.

30. *Aveilus Hachurban* page 152:footnote *zayin*:3, *Natei Gavriel* 34:4:footnotes 9-10, *Minchas Yitzchak* 10:44, *Ohr L'tzion* 3:27:1, opinion of Harav Shlomo Zalman Auerbach *zt"l* and Harav Elyashiv *zt"l* quoted in *Shiurei Halachah* (Harav Shmuel Felder *shlit"a*) page 41. Refer to *Koneh Bosem* 3:37.

31. Refer to *Chut Shani Yom Tov*, *Chol Hamoed*, *Kibbud Av V'eim* page 345:2.

32. Refer to *Halichos Shlomo Moadim* 2:14:footnote 40, *Chuko Mamtakim* 1:page 351. Refer to *Ohr L'tzion* 3:27:1, *Gesher Hachaim* 21.

33. *Da'as Kedoshim Y.D.* 389:3, *Ohr L'tzion* 3:27:1, *Divrei Chachamim* page 162:footnote 459, *Vayishma Moshe* 1:page 183.

34. *Shulchan Aruch* 551:3, *M'beis Levi* (*Bein Hametzarim*) page 14:2. According to some *poskim* one who stays in a hotel may sleep on the fresh sheets, but should put them on the floor beforehand if possible (*Minchas Yitzchak* 10:44, *Mekadesh Yisrael* 95, see *Tzitz Eliezer* 13:61 which takes a more lenient approach to this question. This

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What Is Included and Not Included in “Laundered Clothing”

The *poskim* say that “*kli pishtan*” may be worn during the nine days,³⁵ as they are worn close to the flesh. Therefore, the sweat is not removed when they are ironed, so they do not look new.³⁶ Some say that handkerchiefs and tablecloths should not be laundered during the nine days,³⁷ while others argue with this premise.³⁸ Nonetheless, since we have tissues today one should be stringent with handkerchiefs.³⁹ According to many *poskim* one may not change his undergarments during the nine days if they were not worn beforehand (see above),⁴⁰ while others are lenient with this.⁴¹ Most people follow the second opinion. The same dispute

also applies to going away to sleep over at someone else’s home and the linen was changed for you). One should notify the cleaning crew not to change the sheets throughout his stay. Others say that most people are disgusted by sleeping on soiled linen, so one may prepare freshly laundered linen for a guest (*Mekadesh Yisrael Bein Hametzarim* 94).

35. *Shulchan Aruch* 551:3.

36. Refer to *Biur Halachah* “*v’kli*.” Refer to *Biur Halachah* “*sheharei*.” See *Pischi Teshuvah* Y.D. 389:2.

37. *Shulchan Aruch* 551:3.

38. *Levush* 4, *Taz* 4, *Ben Ish Chai Devarim* 1:6, see *Rivevos Ephraim* 2:155:9.

39. *Natei Gavriel* 34:8:footnote 18. Some say women should not put on a new headband which covers a *sheitel*, etc. since it is considered a garment (*Vayevarech Dovid* 1:76:page 266). A new shoelace is permitted (*ibid*).

40. Harav Yisroel Belsky *zt”l*, see *Kaf Hachaim* 91, *Shiurei Halachah* (Harav Shmuel Felder *shlit”a*) page 42 which quotes this as the opinion of Harav Elyashiv *zt”l*, Harav Wosner *zt”l*, and Harav Chaim Kanievsky *shlit”a*, and page 4:footnote 68 quoting the opinions of Harav Shlomo Miller *shlit”a* and Harav Yisroel Belsky *zt”l*, *Mekadesh Yisrael* 89 in depth, *Chut Shani Yom Tov, Chol Hamoed, Kibbud Av V’eim* page 346:3, *Vayevarech Dovid* 1:76. Some say for women one can be lenient (refer to *Vayevarech Dovid* 1:76).

41. Refer to *Natei Gavriel* 34:footnote 12 in depth, *Divrei Chachamim* 459, page 162 (all *poskim*), *Avnei Yushpei* 3:58, *M’beis Levi* (*Bein Hametzarim*) page 14:2:footnote 4, *Moadei Yeshurun* page 134, *Rivevos Ephraim* 1:373, 3:340:1, *Halichos Shlomo Moadim* 2:14:12. Refer to *Mishnah Berurah* 551:6. See *Yagel Yaakov* pages 66-67.

applies to socks and undershirts.⁴² The custom is to permit the use of freshly laundered hand towels.⁴³

Going Away

One who is going on vacation or to a friend for the nine days should bring enough garments to last nine days.⁴⁴ Others say that if it is a big bother one may wash his clothes.⁴⁵ Nonetheless, it is better to avoid this and one should bring enough clothing.

Washing Children's Clothing

Children are notorious for soiling their clothing. Is it permitted to clean their garments or do they have the same *halachos* as adults?

An adult may not wash children's clothing during the week of Tishah B'Av.⁴⁶ However, clothing of a child that *gets dirty*⁴⁷ may be washed,⁴⁸ because this washing does not bring

42. Refer to *Aruch Hashulchan* Y.D. 389:6, *Salmas Chaim* 331 (old), *Natei Gavriel* 34:6, *Shalmei Moed* page 480, *Moadei Yeshurun* page 134, *Ohr L'tzion* 3:27:footnote 1, *Avnei Yushpei* 3:58:2, see *Kinyan Torah* 1:109:3. In regard to pajamas see *Avnei Yushpei* 3:58:2.

43. *Rivevos Ephraim* 1:370. This is common for using it to dry one's hands after *netilas yadayim* (*Hisorerus Teshuvah* O.C. 335:pages 40-41).

44. Opinions of Harav Shlomo Zalman Auerbach zt"l and Harav Elyashiv zt"l quoted in *Natei Gavriel* 35:27:footnote 46.

45. Refer to *Natei Gavriel* 35:27.

46. *Shulchan Aruch* 551:14, *Levush* 14, *Elyah Rabbah* 3, *Pri Megadim Eishel Avraham* 38, *Chayei Adam* 133:18, *Mishnah Berurah* 551:82, *Kaf Hachaim* 175, *Hakatan V'hilchosav* 26:1. Refer to *Aruch Hashulchan* 32 which says this is from Rosh Chodesh Av.

47. *Beis Yosef* 551, *Rama* 14, *Levush* 14, *Kaf Hachaim* 179. It is better to do it through a non-Jew (*Shulchan Shlomo* 551:15, *Kaf Hachaim* 180). Clothing of children who do not dirty their clothes may not be washed (*Children in Halachah* pages 186-187:footnote 11).

48. *Beis Yosef* 551, *Rama* 14, *Aruch Hashulchan* 32. So too, washing rags is permitted during the nine days (opinion of Harav Shmuel Felder *shlit"a* quoted in *Shiurei Halachah* page 39). One should not wash children's clothing if he has enough for the nine days (*Shevet Hakehasi* 1:173:1).

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הנא... (גדה עב)



joy.⁴⁹ Nonetheless, the clothing should be washed in private if possible (see footnote).⁵⁰ There is a debate concerning the maximum age for this leniency. Some limit it to children who are 2-3 years old,⁵¹ others say 3-4 years old,⁵² and others permit until 6-7 years old.⁵³ The accepted custom is that as long as the children dirty their clothing, they may be washed regardless of age.⁵⁴

Some say not to wash too many garments together,⁵⁵ but today with the advent of the washing machine, the custom is to wash many garments together.⁵⁶

There is a discussion in the *poskim* if it is better to buy new clothes or to wash clothing.⁵⁷ The consensus is that washing is preferred.⁵⁸

It should be stated that when one washes children's garments, he may not add any other clothing to the machine.⁵⁹

49. *Levush* 14, *Mishnah Berurah* 84, *Kaf Hachaim* 178. In addition, something which is needed so often *Chazal* did not forbid (*Kaf Hachaim* 178).

50. *Magen Avraham* 39, *Be'er Heitiv* 35, *Mishnah Berurah* 83, *Aruch Hashulchan* 32, *Kaf Hachaim* 176, *Rivevos Ephraim* 3:347 (this is even if all know that one is only washing children's garments). Some say since cleaning the clothing with a washing machine is more effective doing so is permitted even in public (*Natei Gavriel* 36:5).

51. *Chayei Adam* 133:18, *Kaf Hachaim* 179.

52. *Levush* 14, *Pri Megadim Eishel Avraham* 551:39.

53. *Pri Megadim Eishel Avraham* 551:38.

54. Opinion of Harav Moshe Feinstein *zt"l* quoted in *Harav Eider zt"l on the Three Weeks* page 9, *Natei Gavriel* 36:3:footnote 8. Refer to *Emek Hateshuvah* 1:92:8.

55. *Elyah Rabbah* 31, *Magen Avraham* *ibid*, *Yaavetz* (*Siddur*) page 212:26, *Chayei Adam* 133:18, *Mekor Chaim* page 489, *Mishnah Berurah* 551:83, *Kaf Hachaim* 176.

56. Refer to *Be'er Moshe* 7:32, *Minchas Yitzchak* 8:50, *Chanoch L'na'ar* 21:footnote 2.

57. *Emes L'Yaakov* 551:footnote 513 which says it is better to buy.

58. *M'beis Levi* (*Bein Hametzarim*) page 14:2*, opinion of Harav Elyashiv *zt"l* quoted in *Natei Gavriel* 36:7:footnote 17. Refer to *Be'er Moshe* 7:32, *Shevet Hakehasi* 1:173:2, see *Teshuvos V'hanhagos* 2:258.

59. *Be'er Moshe* 7:32, *Shevet Hakehasi* 1:173:3, *Shraga Hameir* 6:162:9, *Mekadesh Yisrael* 96. If there will be a loss because you are in a public place where you have to

איננו לוחדי"ה בעולמו אלא יד אמות של הלכה בלבד... (ברכות ח)



כל השנה הלכות בכל יום מובטח לה שיהא בן עולם תפא... (גדה עב)

Fixing Clothing

Clothing should not be repaired during the nine days.⁶⁰ Girls may weave as a camp activity since the garment will not be completed until after the nine days. During the week that Tishah B'Av falls out it should be avoided.

Women should not weave just to pass the time.⁶¹

Sewing a name tag to clothing during the nine days (which is applicable if the child will be going to a summer camp during or after the nine days) is permitted.⁶²

Laundry

According to the Ashkenazi custom,⁶³ clothing may not be washed⁶⁴ during the nine days even if they will not be worn until after Tishah B'Av.⁶⁵ This applies to ironing as well.⁶⁶ Clothing that is worn for a mitzvah is permitted.⁶⁷

pay for a load then it may be permitted (*Mekadesh Yisrael* 96).

60. *Shulchan Aruch* 551:7-8.

61. *Mishneh Halachos* 7:79, see *Kinyan Torah* 2:100.

62. *Emes L'Yaakov* 551:footnote 509.

63. *Rama* 551:3, *Taz* 4, *Chayei Adam* 133:12, *Aruch Hashulchan* 15-16. The Sephardim refrain from this during the week that Tishah B'Av falls out (*Rambam Hilchos Ta'anis* 5:6, *Shulchan Aruch* 551:3).

64. This refers to washing clothes in a washing machine just as it means washing by hand (*Nechamas Yisrael* page 8:footnote 146 in depth). Some say one may not place a wet garment in a dryer either (refer to *Igros Moshe O.C.* 3:79, see *Nechamas Yisrael* page 90:footnote 175 quoting the opinion of Harav Chaim Kanievsky *shlit"u* who is lenient, also see *Emek Hateshuvah* 1:92:1 and *Piskei Teshuvos* 551:22 end). Folding clothing is permitted during the nine days even if it keeps the shape of the clothing (*Nechamas Yisrael* page 90).

65. *Rosh Maseches Ta'anis* 4:31, *Rama* 551:3, *Levush* 4, *Elyah Rabbah* 4, *Kitzur Shulchan Aruch* 122:9, *Mishnah Berurah* 21. See *Beis Yosef* 551. Some say if a garment will get ruined if it is not washed then one may wash it (*Yeishiv Moshe* page 64:2).

66. *Tur*, *Shulchan Aruch* 551:3. Refer to *Taz* 5. Garments which are made from synthetic materials and do not require ironing are still forbidden to wear if they are laundered (*Natei Gavriel* 34:30:footnote 47).

67. For example, a woman who needs to wear white garments (*Rama* 551:2, *Chayei Adam* 133:13, *Aruch Hashulchan* 15). Refer to *Rav Poalim* 4:29 which permits cleaning

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The reason for the *issur* is because it shows that one is not thinking about the *aveilus*.⁶⁸

Even if a child is going to camp during the nine days a parent may not launder clothes for him if they are not dirty just in order to go to camp with “clean clothes.”⁶⁹

Building

From Rosh Chodesh Av until after Tishah B'Av we do not construct a joyous building.⁷⁰ This includes a home for a newlywed, or a beautiful design.⁷¹ One may not paint,⁷² hang wallpaper,⁷³ or install a carpet or tiles during the nine days.⁷⁴ Some permit these activities in a bungalow since it is needed for the summer.⁷⁵

Washing One's Body – Showering

It is a widespread custom⁷⁶ to refrain from washing even with *cold* water⁷⁷ from Rosh Chodesh Av until after Tishah

a *tallis gadol* because of its mitzvah status.

68. Rashi *Maseches Ta'anis* 29b “*afilu*,” *Levush* 2, *Magen Avraham* 12, *Mishnah Berurah* 21, *Kaf Hachaim* 50.

69. Harav Yisroel Belsky *zt”l*.

70. *Shulchan Aruch* 551:2, *Prishah* 1, *Levush* 2, *Moed L'chol Chai* 10:8, *Kitzur Shulchan Aruch* 122:7. One should avoid moving into his new home during the nine days (*Aveilus Hachurban* page 145). Writing up a contract to build etc. after the nine days is permitted (*Mekadesh Yisrael* 60).

71. *Shulchan Aruch* *ibid*.

72. *Vayevarech Dovid* 1:68, *Toras Hamoadim* page 145, *Natei Gavriel* 29:1. This should not be done even if one started before Rosh Chodesh Av (*Natei Gavriel* 29:2:footnote 2).

73. *Toras Hamoadim* page 145, *Natei Gavriel* 29:3, see *Elyah Rabbah* 4. Refer to *Igros Moshe* O.C. 3:82 which says one should stop before Shabbos Chazon.

74. *Moadei Yeshurun* page 135, *Natei Gavriel* 29:6. Refer to *Vayevarech Dovid* 1:68, *Mekadesh Yisrael* 62.

75. *Mekadesh Yisrael Bein Hametzarim* page 21.

76. *Yechaveh Da'as* 1:38 says Sephardim are lenient.

77. Some say lukewarm is also permitted (*Eishel Avraham Butchatch* 551:16, *Orchos*

איננו לוקחים את האות של הלכה בלבד... (ברכות ח')

כל השנה הלכות בכל יום מובטח להשתרש בן עולם הפא... (מדנה ענה)

B'Av. Others have the custom to refrain from washing only during the week of Tishah B'Av.⁷⁸ The custom of the Ashkenazim follows the first opinion.⁷⁹ It is permitted to wash for a mitzvah (i.e. a woman who has to go to the *mikvah*)⁸⁰ even with hot water.⁸¹ A pregnant woman in her ninth month may bathe even in hot water.⁸² The reason is that this washing is for health purposes and not for enjoyment.⁸³ Similarly, one who is actually dirty may wash since he is not doing so for pleasure.⁸⁴ The custom is to refrain from washing one's entire body, but washing one's

Chaim 551:43, *Ohr L'tzion* 3:27:5).

78. *Rambam Hilchos Ta'anis* 5:6, *Tur* 551, *Beis Yosef, Shulchan Aruch* 551:16, *Yechaveh Da'as* 4:38, *Yabia Omer* 5:41. Some say cold water is permitted (refer to *Mahari Bruna* 12, *Terumas Hadeshen* 150). Some say this is even if not showering will be bothersome to others (*She'eilas Rav* 33:9-10).

79. *Rama* 551:1, *Kitzur Shulchan Aruch* 122:12, *Aruch Hashulchan* 37, *Kaf Hachaim* 186.

80. *Rama* 551:1, *Levush* 16, *Chayei Adam* 133:19, *Aruch Hashulchan* 37. A woman who gave birth and is within seven days of her delivery may shower (*Birurei Halachah* 551:pages 291-292).

81. *Biur Halachah* 551 "ul'tzorech," *Kaf Hachaim* 193.

82. *Sha'ar Hatzion* 94.

83. *Ben Ish Chai Devarim* 1:16, *Sha'arei Teshuvah* 37, *Chayei Adam* 133:19, *Sha'ar Hatzion* 94, *Aruch Hashulchan* 36. The same is true for a woman who just gave birth or a weak person that the doctor said has to shower daily (*Ben Ish Chai Devarim* 1:16, *Sha'ar Hatzion* *ibid*, see *Magen Avraham* 40, *Be'er Heitiv* 36, *Kitzur Shulchan Aruch* 122:12, *Kaf Hachaim* 187-188). This is permitted even the week that Tishah B'Av falls out (*Mishnah Berurah* 88).

84. *Aruch Hashulchan* 37.

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face, hands⁸⁵ and feet⁸⁶ is permitted⁸⁷ with cold water⁸⁸ without soap.⁸⁹

Children⁹⁰ are usually washed every day, and they are not included in this prohibition⁹¹ (see below regarding swimming for children).

Based on the above, there would be no *heter* to wash more than one's face, hands and feet during the week with cold water. Why do so many in Klal Yisrael shower and wash their whole body with hot water and soap during the week? The logic is as follows.

Bathing which is not for pleasure is permitted even with hot water.⁹² Others say that only cold water may be used.⁹³ Some limit washing to the sweaty areas only.⁹⁴ One who is an *istanis* (delicate person) is permitted to take a shower with

85. There is a discussion until how far up the hand one is permitted to wash. Does it mean the elbow as well? Refer to *Shevet Hakehasi* 6:214, *Shraga Hameir* 7:93:2 (hand-elbow, foot-knee), *Divrei Yatziv* 1:237. Some say it is only the part of the hand which is revealed (*Doleh U'mashkeh* page 208, see *She'eilas Rav* 33:13).

86. Refer to *Orchos Rabbeinu* 2:page 134:18 which says since we do not walk barefoot, washing the feet is not permitted. However, see *Chut Shani Yom Tov, Chol Hamoed and Kibbud Av V'eim* page 347.

87. *Mishnah Berurah* 94. Refer to *Mekadesh Yisrael* 153 if washing one at a time is permitted with hot water.

88. *Rama* 551:16, *Levush* 16, *Chayei Adam* 133:19, *Ben Ish Chai Devarim* 1:16, *Kaf Hachaim* 199.

89. Refer to *Magen Avraham* 41, *Mishnah Berurah* 97, *Nechamas Yisrael* page 72:footnote 83, *M'beis Levi* 13:page 64:1, *Mekadesh Yisrael* 152, *She'eilas Rav* 33:12, *Shevet Halevi* 7:77:4.

90. Some say this is only under three years old (*Koneh Bosem* 1:32).

91. *Chanoch L'nair* 21:4, *Mekadesh Yisrael* 162, see *Koneh Bosem* *ibid*.

92. Refer to *Biyur Halachah* 554 "sichah," *Mishnah Berurah* 613:2, *Salmas Chaim* 333 (219 old), *Yechaveh Da'as* 1:38, *Shevet Hakehasi* 5:100, *Divrei Yatziv* 1:237:4, *Igros Moshe E.H.* 4:84:4. See *Shevet Halevi* 7:77:2:2.

93. *Teshuvos V'hanhagos* 4:129. See *Ohel Aryeh* 2:450.

94. *Nechamas Yisrael* page 75:footnote 90.

אינן ללחוד"ה בעולמו אלא י
אמור של הלכה בלבד... (ברכות ה)



cold water during the nine days,⁹⁵ but without soap if the sweat can be removed without it.⁹⁶

Therefore, since we shower to remove dirt or sweat we may do so preferably with warm water,⁹⁷ and if the sweat cannot be removed without soap, then soap is permitted as well.⁹⁸

Showering is permitted during a heat wave even with soap if one cannot remove the sweat without it.⁹⁹

Swimming

The custom is to refrain from going swimming in rivers and streams¹⁰⁰ during the nine days¹⁰¹ because it is enjoyable and it is like washing one's entire body.¹⁰² One who needs to

95. Refer to *Nechamas Yisrael* page 75:footnote 92, *Teshuvos V'hanagos* 4:129, *Madanei Shlomo* page 53. Some say that if one is so sweaty that he cannot daven properly then he may shower (*Chuko Mamtakim* 1:page 350). See *Orchos Rabbeinu* 2:page 133:15, *Az Nidberu* 11:48.

96. *Halichos Shlomo Moadim* 2:14:footnote 27, 62, *Madanei Shlomo Moadim* page 52, *Madanei Shlomo* (new), pages 171-172.

97. Based on the *Salmas Chaim* 333, *Shevet Hakehasi* 5:100, *Divrei Shalom* 4:page 259:85, *Torah Sheb'al Peh* 85:pages 50-52, *Emes L'Yaakov* 551:footnote 514, *Shevet Halevi* 7:77:2, 8:127:1, *Ohr L'tzion* 3:27:5, *Yechaveh Da'as* 1:38, *Vayevarech Dovid* 1:74, *Shulchan Halevi* 1 (Hebrew) page 150. Refer to *Mekadesh Yisrael* 155 in depth. See *Techumin* 21:pages 65-66 where it says removing sweat is permitted with cold or lukewarm water.

98. Opinion of Harav Moshe Feinstein *zt"l* quoted in *Moadei Yeshurun* page 132:footnote 80, *Shiurei Halachah* (Harav Shmuel Felder *shlit"a*) pages 29-30.

99. Opinion of Harav Moshe Feinstein *zt"l* quoted in *Moadei Yeshurun* page 133:footnote 88. Refer to *Divrei Chachamim* pages 162-163:461.

100. *Aruch Hashulchan* 35. See *Kinyan Torah* 2:100.

101. *Techumin* 21:page 67, *Teshuvos V'hanagos* 2:263, *Madanei Shlomo* pages 56-57, *V'aleihu Lo Yibol* 1:page 197, *Halichos Shlomo Moadim* 2:14:footnote 61, opinion of Harav Shmuel Felder *shlit"a* quoted in *Shiurei Halachah* page 30. Refer to *Yechaveh Da'as* 1:38, *Yeshuos Yaakov* 551:3.

102. Refer to *Shiurei Halachah* (Harav Shmuel Felder *shlit"a*) pages 30-31.

swim every day for medical reasons may do so even during the nine days.¹⁰³

The opinion of many *poskim* is that children may go swimming during the nine days.¹⁰⁴ However, this should only be done in private.¹⁰⁵ Similarly, young children may play with a sprinkler, but one should not do it in public.¹⁰⁶

Additionally, one should not go canoeing during the nine days,¹⁰⁷ as he may fall into the water and wash his entire body.¹⁰⁸

Siyum

When a *siyum* is made in a camp or yeshivah, all those present may eat meat,¹⁰⁹ including women and children.¹¹⁰ One may not bring the food outside of the place where the *siyum* is being held.¹¹¹ One may not hear the *siyum* and then go make a barbeque in a different location (this is common in camp).¹¹²

103. *Nishmas Avraham O.C.* 551:page 284, *Madanei Shlomo* page 175. This is even on Erev Tishah B'Av (ibid).

104. *Children in Halachah* (English) page 188 quoting the opinions of Harav Chaim Pinchas Scheinberg *zt"l* and Harav Roth *shlit"a*, *Mesoros Moshe* 2:page 134:266.

105. *She'arim Metzuyanim B'halachah* 122:12 (*kuntres achron*), *Rivevos Ephraim* 2:155:3, *Yechaveh Da'as* 4:38, *Yabia Omer* 5:41.

106. *Emes L'Yaakov* 551:footnote 514, refer to *Shiurei Halachah* (Harav Shmuel Felder *shlit"a*) page 32, *Mekadesh Yisrael* 151:pages 224-225.

107. *Moadei Yeshurun* page 136:footnote 164 quoting the opinion of Harav Moshe Feinstein *zt"l*, *She'eilas Aharon* 1:page 181.

108. Refer to *She'eilas Aharon* page 181, *Nechamas Yisrael* pages 73-74:footnote 88 in depth, *Mesoros Moshe* 2:page 134:266.

109. *Chayei Adam* 133:16, *Natei Gavriel* 41, footnote 6, *Yoma Tova L'rabbanan*, page 95, footnote 15, *Nechamas Yisrael* 25:13.

110. *Yoma Tova L'rabbanan* page 94, footnote 11, see *Shevet Halevi* 6:72.

111. *Mishnah Berurah* 551:75, see *Rivevos Ephraim* 3:349.

112. Harav Yisroel Belsky *zt"l*, see *Ohel Aryeh* 1:206. Refer to *Mekadesh Yisrael Bein Hametzarim* pages 213-214.

Tishah B'Av

On Tishah B'Av in a bungalow colony, one should be careful that people should not sit together and talk for long periods of time, or travel to another colony to visit someone else. This detracts from the purpose of the day.¹¹³

One is allowed to sit on a bunk bed even if it is very high.¹¹⁴

Insects in the Summer

During the summer, mosquitoes and other insects are rampant. One must make sure not to ingest them, and remove them from all food and beverages.¹¹⁵ Therefore, one should make sure to cover his food and drinks.¹¹⁶

Waiting after Eating French Fries from a Meat Fryer

With the limited space for multiple utensils, people often use the same deep fryer for chicken and french fries. Does one have to wait six hours after eating the french fries?

According to the letter of the law, one does not have to wait six hours after eating a potato cooked in a *fleishig* cholent. However, the *minhag* is to be stringent and wait.¹¹⁷

One who ate *pareve* food that was cooked in a *fleishig* pot that was used that same day (a *ben-yomo*), may eat milk immediately afterwards. This is true even if the pot was not washed out well, as long as there is no trace of meat left in

113. *Rivevos Ephraim* 3:606:3.

114. Harav Yisroel Belsky *zt"l*.

115. Refer to *Aruch Hashulchan Y.D.* 100:13.

116. *B'derech Hamelech* page 79:21.

117. *Rama Y.D.* 89:3, *Pri Megadim M.Z.* 1, *Darchei Teshuvah* 89:39, *Chachmas Adam* 40:13, *Aruch Hashulchan* 13, *Kaf Hachaim* 57, *Badei Hashulchan* page 69 *biurim* "v'nahagu," *Madanei Hashulchan* 39, *Metamei Hashulchan* 14, *Pischei Halachah Kashrus* page 21:13. The same halachah would be in regard to meat that was pureed (*Doleh U'mashkeh* page 256).

the pot. There is no need to rinse one's mouth before eating milk in this situation.¹¹⁸

Some explain that the cook's intention was not to introduce the meaty flavor to the *pareve* food.¹¹⁹ Harav Schachter *shlit"a* holds that if there is no intention of giving any *fleishig* taste into the fries, then one would not need to wait six hours. If the intention is to improve its taste, then one would need to wait.¹²⁰ Others say that in either case one needs to wait six hours and this seems to be the accepted opinion.¹²¹

Washing Dishes

Many bungalows have single sinks, or double sinks next to each other. Most only have one dishwasher. What are the *halachos* related to washing dishes in these situations?

When meat and dairy dishes are washed together, they absorb flavor from each other. This depends on the temperature of the water, the cleanliness of the utensil, if there was soap used, if the utensils are in the sink at one time, and the last time the utensil was used.

If clean pots¹²² of both meat and milk are washed together in a large pot which was over a fire, there are some who

118. *Shach Y.D.* 89:19, *Pri Megadim Sifsei Da'as* 19, *Pischei Teshuvah* 7, *Elyah Rabbah* 173:4, *Ben Ish Chai Shelach* 2:12, *Chachmas Adam* 40:13, *Yad Yehuda kitzur* 29, *Kitzur Shulchan Aruch* 46:10, *Aruch Hashulchan* 13, *Kaf Hachaim* 59 and 61, *Badei Hashulchan* 89, *Madanei Hashulchan* 41-42, see *Pri Hadar* page 175, *Nidchei Yisrael* 33:5, *Pischei Halachah Kashrus* page 22:14.

119. See *Dvar Moshe* 45:2, *Hilchos Basar B'chalav* (Hofstedter) pages 70-71:footnotes 135-136. Refer to *Igros Moshe Y.D.* 2:26, *Rivevos Ephraim* 5:517, *Badei Hashulchan* 17 and *biurim "I'kanach," Sefer Hechsheiros* page 178:110 which discusses a liver pill which gives off a minute amount of meaty taste and one does not have to wait six hours.

120. As related by Rabbi Eli Gersten (OU). For more on this topic see *Yedei Moshe* 8.

121. *Hilchos Basar B'chalav* (Hofstedter) 2:32, <http://dinonline.org/2011/07/08/frying-in-meaty-oil/>.

122. *Shulchan Aruch Y.D.* 95:3, *Taz* 7, *Chavos Da'as* 6, *Kreisi* 7.

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

maintain that the pots are permitted. The reason is that the meat taste which was absorbed in the pot and not infused in the water, has not yet combined with the milk taste from the milk pot. This is the opinion of the *Shulchan Aruch*.¹²³ However, the *Rama*¹²⁴ holds that the pan and pot have to be *kashered*. Even according to the *Shulchan Aruch*, this should be avoided *l'chatchilah* if both of them have been used within twenty-four hours.¹²⁵ Two reasons are offered to explain this stringency. First, the dairy pan may touch the meat pot in which it is being washed, and it may absorb flavor directly from the pot without the medium of water. Second, the meat and dairy taste meet one another directly in the water and *basar b'chalav* is formed.¹²⁶ This would also apply if the utensils are washed in a *pareve* pot.

If either of the utensils were not used within twenty-four hours then it would be permitted to wash them together.¹²⁷ If a meat pot or dairy pot that were washed together in a *kli rishon* were not inspected beforehand they are assumed to have contained food residue, and both utensils absorbed *basar b'chalav* and must be *kashered*.¹²⁸

Although many people use the same sink to wash dishes, they are not placed in the sink at the same time. If a clean dairy dish was washed in the sink after a clean meat dish then it is permitted.¹²⁹

When hot water is poured from a *kli rishon* (not a dairy or meat pot),¹³⁰ it is considered *iruy kli rishon*. According to

123. Y.D. 95:3. See *Beis Yosef* Y.D. 95.

124. Y.D. 95:3. See *Aruch Hashulchan* 17.

125. *Shach* 9.

126. Refer to *Shach* 15, *Kaf Hachaim* 33.

127. *Rama* Y.D. 95:3. See *Taz* 9, *Shach* 12.

128. *Shulchan Aruch* Y.D. 95:3, *Shach* 10.

129. *Rama* Y.D. 95:3. Refer to *Darchoi Teshuvah* 59.

130. *Rama* *ibid*. See *Aruch Hashulchan* 22-23.

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some, this would not affect the utensils even if dairy and meat were together.¹³¹ Others say that if the meat and dairy dishes were dirty then one would need to *kasher* them.¹³² Even if they are clean one should not be lenient unless there is a great loss. Therefore, one should refrain from washing them together even from an *iruy kli rishon*.¹³³ Many say that a faucet has the status of *iruy kli rishon* since it flows from an uninterrupted manner from the boiler, which is a *kli rishon*.¹³⁴

An important factor is that most people use soap while washing dishes. The *poskim* rule that the soap renders any food particle ill tasting, and the food would not produce any forbidden flavor into other dishes.¹³⁵ However, this only helps before the taste is infused into the utensil.¹³⁶

If the utensils are washed in a *kli sheini* many are lenient and maintain that the utensils are not affected even if meat and dairy dishes are washed at the same time.¹³⁷

How do we avoid these pitfalls in the cramped area of a bungalow? One option is to wash the dishes while holding them in the hand, thus avoiding any contact with the sink.¹³⁸ Another idea is to use an insert. The tap water will fall into the basin and not into the sink. The basins themselves should not be placed in the sink surface either. One should wash the sink out well between meat and dairy dishes.¹³⁹ Others take a more lenient approach and maintain that one

131. Rama ibid.

132. Shach 20.

133. Pri Megadim S.D. 20.

134. Harav Yisroel Belsky *zt"l*. Refer to *Minchas Yitzchak* 2:100:2.

135. *Shulchan Aruch Y.D.* 95:4, *Pri Chadash* 6, *Aruch Hashulchan* 24. See *Taz* 15, *Shach* 21, *Kaf Hachaim* 56.

136. *The Laws of Kashrus* page 250:footnote 24.

137. Rama ibid, *Aruch Hashulchan* 17-18. See *Taz* 12.

138. *Kovetz Halachos L'meonos Hakayitz* page 129:32.

139. *Minchas Yitzchak* 2:100.

איך ללמוד להלכה של אמת של הלכה בלבד... (ברכות ח)

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

does not have to use a basin when washing dishes, and using racks for each type of dish suffices.¹⁴⁰ However, many times this does not work since utensils slip through the cracks.¹⁴¹

In addition, if the water is not hot enough to be considered *yad soledes bo*, then there will be no issue.¹⁴²

Many bungalows have two adjacent sinks. One should prevent water containing food particles from splashing onto dishes of the other type while washing dishes. Some suggest placing a cover on the unused sink.¹⁴³ Adjacent sinks usually share one drain line. Even if the water does come up from the drain, there is no issue since the water is generally not *yad soledes bo*, and cannot affect the kashrus of the dishes. One should try to avoid this if possible.¹⁴⁴

In general, when washing dishes for dairy, *pareve* and meat utensils, one should have separate sponges for each type, separate steel wool if needed, and use separate gloves.¹⁴⁵

Dishwasher for Meat and Dairy

Many bungalows have only one dishwasher. Can it be used for both meat and dairy dishes?

In many dishwashers, the hot water enters the unit, where it gathers on the bottom and is heated again by a heating element. This dishwasher is considered a *kli rishon*. After the water is heated, it is drawn by a revolving wand and sprayed upwards at the lower level dishes. Another wand sprays water at the upper level. Since the sprays of water

140. *Igros Moshe Y.D.* 1:42.

141. Harav Yisroel Belsky zt"l. Refer to *Shulchan Halevi* (Hebrew) 1:page 209:11.

142. *Kovetz Halachos L'meonos Hakayitz* page 129:32.

143. *The Laws of Kashrus* page 256:3.

144. *The Laws of Kashrus* page 256:5.

145. *Ibid* page 257.

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are not continuous, it is less of a degree than *iruy kli rishon*.¹⁴⁶ The dishwasher emits detergent at different intervals of the washing cycle, so any food particles in the dishwasher may be assumed to be ruined. However, the last cycle is often performed without detergent, which may present an issue. Another potential problem is the filter that traps food particles. It is very difficult to clean it.¹⁴⁷

Some permit the use of a dishwasher for meat and dairy,¹⁴⁸ but one should have separate racks for dairy and meat,¹⁴⁹ and if possible one should run an empty cycle before using it for the other type.¹⁵⁰ The custom in any case is not to use a dishwasher for both meat and dairy.¹⁵¹ Usually, food particles are removed from the dishes before they are placed in the dishwasher.¹⁵² The food particles that may be left in the filter are ill tasting due to the soap used throughout the dishwashing cycle.¹⁵³ In addition, most U.S. dishwashers do not have a heating element to reheat the water, but rely on the boiler. Therefore, a dishwasher would be considered according to some a *kli sheini*.¹⁵⁴

Blackout and *Bishul Akum*

One who frequents the country knows that blackouts are common. If food was cooking in the oven, and the power

146. Refer to *Ohr Yisrael* 4:pages 154-158.

147. *The Laws of Kashrus* pages 258-259. Refer to *Techumin* 11:page 114.

148. *Igros Moshe O.C.* 1:104, 3:58. *Y.D.* 2:28, 2:29, 3:10:2, 3:11, 3:13. Some permit the usage even at the same time. Refer to *Sridim* (journal) 3:pages 47-50, *Techumin* 11:pages 130-136.

149. *Igros Moshe Y.D.* 2:29, Harav Yisroel Belsky *zt"l*.

150. *Igros Moshe* *ibid*, see *Yabia Omer Y.D.* 10:4, *Techumin* 11:page 121:2.

151. Harav Yisroel Belsky *zt"l*.

152. *Techumin* 11:pages 120-121:1.

153. *Ibid* pages 115-119.

154. *Igros Moshe Y.D.* 3:13. See *Techumin* 11:page 134 in regard to Eretz Yisrael.

went out, when it is turned back on is the food considered *bishul akum*?

An unintentional act of cooking by a non-Jew is not affected by the *halachos* of *bishul akum*.¹⁵⁵ The prohibition only applies if he has intention to cook,¹⁵⁶ but in this situation there is no concern of closeness with the non-Jew.¹⁵⁷ The Gemara¹⁵⁸ says that if a non-Jew ignited a swamp to clear it out and he roasted grasshoppers in the process,¹⁵⁹ or if he scorched the hair from an animal and the animal was cooked in the process then there is no concern of *bishul akum*.¹⁶⁰

If a non-Jew fired a wood-burning furnace and there was a pot of food near the furnace, but the non-Jew did not know about it, the food is permitted.¹⁶¹ If the non-Jew intended to cook the food but not to cook for the Jew it is still an *issur* of *bishul akum*.¹⁶² Some prohibit the food if the non-Jew knew that it was there, as he might have had in mind to

155. *Maseches Avodah Zarah* 38a, *Rashi* "ela," *Rosh* 2:31, *Issur V'heter* 43:6, *Rambam Hilchos Ma'achalos Assuros* 17:19, *Tur* 113, *Beis Yosef*, *Shulchan Aruch* 113:5, *Toras Chatas* 75:22, *Levush* 4-5.

156. *Tsafos Maseches Avodah Zarah* *ibid* "ku," *Ritva Maseches Avodah Zarah* *ibid*.

157. *Chelkas Binyamin* 113:47.

158. *Ibid*.

159. *Maseches Avodah Zarah* *ibid*, *Shulchan Aruch* 113:5, *Chachmas Adam* 66:10, *Aruch Hashulchan* 28-29. It is a proof that grasshoppers do not need to be *shechted* before eating them (*Rashi Maseches Avodah Zarah* 38a "sh'biagam," *Tsafos* "V'olam," *Rosh* 2:30).

160. *Ibid*.

161. *Chachmas Adam* 66:10. Refer to *Avnei Nezer Y.D.* 98. See the *Darchoi Teshuvah* 113:41 on how this may apply to cooking a food which is edible raw with a food that is not edible raw (also see *M'Beis Levi* 8:page 38:footnote 39).

162. *Ritva Maseches Avodah Zarah* 38a, *Tur* 113, *Shulchan Aruch* 113:5, *Toras Chatas* 75:22, *Levush* 5, *Munchas Yaakov* 75:43, *Aruch Hashulchan* 29, see *Darchoi Teshuvah* 113:44.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הזה... (מדה עב)

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cook this food as well.¹⁶³ Others argue with this last point and maintain that even if the

non-Jew knew about the food but did not have it in mind, it is permitted.¹⁶⁴ Nonetheless, one should be stringent in this case if it is not a great need.¹⁶⁵

Based on this discussion, if there is a blackout or a fuse blew and a non-Jew turned on the power, then the food in the oven is permitted since the non-Jew did not have in mind to cook when he turned on the electricity.¹⁶⁶

There is an opinion in the *poskim* that the intention of the non-Jew is only a factor if the Jew did not have in mind to cook, but if the Jew had intent to cook then the non-Jew's involvement is irrelevant.¹⁶⁷ For example, if a Jew placed the food on the range and the non-Jew lit the fire, it is permitted. This opinion is disputed.¹⁶⁸

General Kashrus Questions When Traveling

Kashrus issues are common during the summer, so we will cover some frequently asked questions. Care should be taken when traveling to only trust a *hechsher* on a restaurant one is familiar with and not eat in any restaurant that one desires (the opinions below do not represent the opinion of the KOF-K).

Q. Can I buy Slurpee's at 7-11?

A. The 7-11 Slurpee mixes are certified by different

163. *Tur* 113, *Chachmas Adam* 66:10. Refer to *Taz* 5.

164. *Ran Maseches Avodah Zarah* page 15a "kol," *Beis Yosef* 113, *Kaf Hachaim* 41.

165. *Pri Chadash* 11, *Aruch Hashulchan* 28, *Kaf Hachaim* 41.

166. *Chai Halevi* 5:64, *Shevet Hakehasi* 5:137:2.

167. *Aruch Hashulchan* 29, see *Darchoi Teshuvah* 43.

168. Opinion of Harav Falk *shlit"a* quoted in *Bishul Yisrael (teshuvos)* pages 44-45 which brings many proofs to this, see *Noam Halachah* pages 107-108, *Chai Halevi* 4:52:4.

כל השנה הלכות בכל יום מובטח לישוא בן עולם הפא... (מדף עב)

hashgachos. A few flavors are not certified. The mixes come in bags that are hooked to hoses in back of the machine. Each flavor has a dedicated spout, or is washed out before another flavor is put in the hose. Even if the machine is not washed, the non-kosher flavor would be minimal in the next Slurpee (at least one should not buy the first one after they change flavors). There are 7-11 representatives who ensure that only 7-11 Slurpee's are used in the machines. There is no heat used in these machines that would affect the kosher status of the product.

It should be noted that while some do permit the purchasing of Slurpee's from 7-11, Harav Yisroel Belsky *zt"l* does not. Therefore, one should ask his own *rav* regarding the purchasing of these items.

Q. If I go to a venue of entertainment or a camp trip and there is fresh popcorn, can I purchase the popcorn?

A. One must inquire what kind of oil was used, and whether he is required to use the same oil. If the oil is permitted, perhaps one can be lenient and buy the popcorn. However, one should speak with his *rav* beforehand.¹⁶⁹

Q. I am in a large chain supermarket and want to know if I can buy cut-up fruit. What about in a small mom and pop store?

A. In the large supermarket chains each department uses different kinds of knives. A meat knife is used for meat, a seafood knife is used only for seafood, etc. In addition, the workers have their own cafeteria where they eat lunch and there is no concern of using the department knife for their lunch. Therefore, halachically one can be lenient. This does not apply to items which may have issues of insects, such as

169. See http://www.creweb.org/kosher_articles/ei.php, <http://www.kosherspirit.com/Article.asp?Issue=11&Article=123>.

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cut-up strawberries and raspberries. In any case one should present this information to his *rav* for guidance in this issue.¹⁷⁰ Buying cut-up fruit from a mom and pop store should not be done since they may use a knife which was used to cut their lunch, etc.¹⁷¹

Q. I see an ice cream truck with a kosher certification driven by a non-Jew. Is this truck really under a *hechsher*?

A. One may not buy unpackaged ice cream from an ice cream truck that is not certified. Even if the package has a reliable *hechsher*, it is possible that the driver placed some other item in the package. Only sealed packages may be purchased.

Q. Can I buy ice cream from any Carvel store or stand, even without a *hechsher*?

A. All the stores use the same ice cream mix. However, some additions may not be certified and therefore, one should not purchase Carvel ice cream in a non-certified store. Each store makes its own soft and hard ice cream. In addition, there are two reasons why a rabbi needs to supervise the stores. First, stores will not hesitate to purchase from an outside source, especially in the summer. Carvel does allow some raw ingredients to be purchased from an outside source, and on occasion we have found ingredients from an unauthorized supplier.

In regard to an ice cream stand which only sells kosher ice cream, it might be acceptable if all the flavors are kosher. If there are non-kosher flavors as well, there may be residue from them on the spoon, but one can ensure that the spoon is washed well. This may not apply to sprinkles and cones

170. Harav Yisroel Belsky *zt"l*.

171. Harav Yisroel Belsky *zt"l*.

אינן ללהקצי"ה בעולמו אלא יד אמות של הלכה בלבד... (ברכות ח')



unless one sees the actual container. In either case one should ask his *rav* for guidance on this issue.

Q. Can I buy fish without skin?

A. In order for a fish to be considered kosher, it has to have fins and a specific kind of scales.

A common product is fish with no skin on at all. The fish is completely gutted and the only part of the product remaining is the flesh without any skin. Is one permitted to buy such a product? Many companies will ship fish with part of the skin still on. Is this allowed?

It is only permitted to buy fillet of fish without skin from a store which has a certification or a *hechsher* on the package, which means the fish was skinned with *hashgachah*.¹⁷²

Otherwise, it is prohibited. Once the fish is skinned, it is impossible to identify the fish.¹⁷³ If one can identify the skin of a particular fish then it is permitted.

Salmon

Although normally a fish cannot be identified once the skin is removed, this is not true for salmon.¹⁷⁴ The flesh of salmon (and other kosher fish similar to salmon) is a reddish-pinkish color. This is a *siman muvhak* which tells us the fish is salmon.¹⁷⁵ Wild salmon store beta-carotene in their flesh from feeding on other marine organisms, such as shrimp or squid. Farmed salmon, which are raised in cages, lack this diet element. Therefore, they are fed dietary supplements of beta-carotene to enhance their flesh color in order to resemble the wild salmon. For a number of reasons,

172. Refer to *Ohr Yisrael* 46:pages 136-145 in great depth on this topic. See *Hechsheiros* 11:10.

173. Refer to *Shulchan Aruch Y.D.* 63:7.

174. *Ohr Yisrael* 46:page 146.

175. OU document F-51.

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הנא... (גדה עב)

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there is no concern that a fish which does not have a reddish color will be colored red, and for the red to stay in the fish.¹⁷⁶

Since salmon has a reddish color on its flesh this is a *siman* of its kashrus. No non-kosher fish have this characteristic of reddish skin; therefore, salmon may be bought and eaten even if it does not have skin.¹⁷⁷

Q. Many communities have no kosher fish stores, especially in the mountains. Is it permitted to buy fish in a regular supermarket?

A. Even if the consumer can identify the fish, there is only one knife in the store, and it is also used for non-kosher fish.

Some *poskim* permit the fish based on the fact that any non-kosher fat on the knife would be removed while gutting and cleaning the next few kosher fish. At this point, any remnants of the fat that might be absorbed by the kosher fish is *batel b'rov*.¹⁷⁸

Nonetheless, one who wishes to buy such fish should make sure the non-Jew cleans the knife and uses a covered, clean surface (it is preferable to bring your own cutting board)¹⁷⁹ to avoid any kashrus issues.¹⁸⁰

Q. May I use the same grill for fish and meat?

A. One who eats fish and meat that were cooked together is putting himself in danger.¹⁸¹ Some say that one should

176. Refer to *Hamodia* July 2006 or OU document H-64, F-51. For a very detailed discussion on this topic refer to *Ohr Yisrael* 46:pages 146-152.

177. This is the opinion of Harav Yisroel Belsky *zt"l* as heard from Harav Moshe Feinstein *zt"l*.

178. Refer to OU document F-28, *Madrich* from the OU page 75. See *Rama Y.D.* 96:4.

179. OU document F-58.

180. Refer to *Ohr Yisrael* 46:pages 136-145, 47:pages 144-150.

181. *Maseches Pesachim* 76b, *Shulchan Aruch Y.D.* 116:2, *Chachmas Adam* 68:1, *Tov Yehoshua* page 109:82, *Kaf Hachaim O.C.* 173:9, *Y.D.* 116:15, *Magen Avraham O.C.* 173:1

איזן לל להקצי"ה בעגולמו אלאי יי אמותו של הלכה בלביד... (ברכות ח')



not roast the two together either.¹⁸² There is no difference if the meat is of chicken or of an animal.¹⁸³ *Bedi'eved* if the food only has *rei'ach* (one of the pots were covered) it is permitted,¹⁸⁴ but even *bedi'eved* the food is forbidden if they were cooked or roasted together in the same pot.¹⁸⁵ One should not deep fry chicken and fish in the same oil.¹⁸⁶

If one wishes to use the same grill, he should double wrap the fish (if the grates etc. were not washed well), since it is hard to clean the grill from meat residue and there is usually some meat fat in the chamber of the grill. If one washed the grill out well then only one covering is required.

Kashrus – *Mashgiach* in Sleepaway Camps

Every camp should have someone as an acting *mashgiach*. There is a great deal of food preparation there and it needs a lot of vigilant work to ensure the kashrus. Some claim that it is an embarrassment for the camp to have a *mashgiach* because people will think they are not so religious, and therefore need to have a *mashgiach*. This is a faulty claim, as experience shows.¹⁸⁷

Horse Betting

Horse races are a popular summer pastime. The *poskim*

says today maybe it is different (see *Darchoi Teshuvah Y.D.* 116:16, *Mishnah Berurah O.C.* 173:3, *Aruch Hashulchan Y.D.* 116:10, *V'ein Lamo Michshal* 4:page 96:6).

182. *Rama Y.D.* 116:2, *Shach* 1, *Taz* 3.

183. *Pischei Teshuvah* 2, *Darchoi Teshuvah* 116:25, *Ben Ish Chai Pinchas* 2:8, *Kaf Hachaim* 1116:11, *Rivevos Ephraim* 3:493, *Chelkas Binyamin* 116:9. Some are lenient if it is chicken (*Birchoi Yosef* in *Shiurei Brachah Y.D.* 116:8).

184. *Rama* *ibid*, *Darchoi Teshuvah* 19, *Aruch Hashulchan* 10, see *Shach* 1, *Taz* 3, *Chachmas Adam* 68:1, *Ben Ish Chai Pinchas* 2:8, refer to *Kaf Hachaim Y.D.* 116:21-23.

185. *Taz* 2, *Pri Megadim Eishel Avraham O.C.* 173:1, *Darchoi Teshuvah* *ibid*.

186. *Divrei Shalom* 4:*piskei halachos* (end of *sefer*) 112:page 262, *Davar Charif* 15:footnote 3.

187. Harav Yisroel Belsky *zt"l* (*Shulchan Halevi* English pages 103-104).

כל השווה הלכות בכל יום מובטח לו שהוא בן עולם הנא... (גדה עב)

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say that one may not bet on these races. If one is doing it for fun it may not be gambling, but it should still be avoided as it is a waste of time.¹⁸⁸

Dwelling without a Rabbi

Many bungalow colonies do not have a practicing rabbi on staff. Instead, the congregants give speeches and *shiurim*, but there is no one who can *psaken* a question in halachah.¹⁸⁹

It is not proper to be in a place where there is no *talmid chacham* who can *psaken*.¹⁹⁰

Today, a *posek* is no more than a phone call away, and it is possible to permit this type of dwelling.¹⁹¹

Fishing

One should not go fishing if he plans to throw the fish back in and not eat it.¹⁹²

Teaching Child How to Swim

The Gemara¹⁹³ says that some say that a father is obligated to teach his child how to swim.¹⁹⁴ Rashi¹⁹⁵ explains that it is a life-saving skill in case he falls overboard. Some

188. Refer to *Mishneh Halachos* 6:270, *Shilhei D'kaita* page 70.

189. See *Mishneh Halachos* 7:134 about giving a *psak* on *Niddah* through the telephone.

190. Refer to *Birchei Yosef* Y.D. 245:2. See *Rambam Hilchos Teshuvah* 4:2.

191. *Kovetz Halachos L'meonos Hakayitz* (Harfenes) page 25:footnote 17.

192. *Ibid* page 31:27, see *Be'er Moshe* 7:62, *Rivevos Ephraim* 1:356:2, *Shemiras Shabbos K'hilchasa* 68:footnote 98.

193. *Kiddushin* 29a, *Rosh Maseches Kiddushin* 1:40, *Rif* 12a.

194. The Steipler *zt"l* taught his son how to swim (*Kovetz Halachos L'meonos Hakayitz* [Harfenes] page 33:footnote 34).

195. 29a "af." See *Yam Shel Shlomo Kiddushin* 1:60. Refer to *Chelkas Yaakov (Drash)* page 150.

אין ללמד ה"בית" הבעלמו אלא י
אמור של הלכה בלבד... (ברכות ה')



suggest that we do not hold like this opinion and that is why it is not mentioned in halachah.¹⁹⁶

Tevilas Keilim – Where to Tovel?

A *mikvah* is not always readily available during the summer months, and people look for alternatives for *tevilas keilim*.

One has to *tovel* the utensils in a *mikvah* (manmade) or spring (natural body of water), even if it is flowing,¹⁹⁷ that holds forty *sa'ah* of water.¹⁹⁸ The *tevilah* of utensils is derived from *tevilah* of women, and therefore share the same rules.¹⁹⁹ Ditches that are full of rainwater may be used.²⁰⁰ One should not *tovel* utensils in a river that is swollen from rain, since the water is flowing.²⁰¹

Some say that since the requirement to *tovel* glass is *d'rabbanan* one would be able to *tovel* glass in snow, if the snow is in one place.²⁰² When the rush of water from a rainstorm passes, one may *tovel* the utensils in a river or ocean.²⁰³

196. *Binyan Tzion* 125.

197. Refer to *Aruch Hashulchan* 120:10 which says in time of need one can *tovel* a utensil in a spring even if there is no forty *sa'ah* of water. Refer to *Darchoi Teshuvah* 120:24, *Chelkas Binyamin* 120:16.

198. *Shulchan Aruch Y.D.* 120:1. Refer to *Aruch Hashulchan* 7-12.

199. *Maseches Avodah Zarah* 75b, *Levush* 1, *Chachmas Adam* 73:1, *Kitzur Shulchan Aruch* 37:2, *Aruch Hashulchan* 1. See *Taz* 2.

200. *Chachmas Adam* 73:19, *Pischei Teshuvah* 120:4, *She'arim Metzuyanim B'halachah* 37:3, *Ohalecha Bamisecha* 20:13.

201. Refer to *Rambam Hilchos Mikvaos* 9:13, *Tur Y.D.* 201, *Beis Yosef Y.D.* 201, *Rama Y.D.* 201:2, *Levush* 1-2, *Taz* 4, *Shach* 15, *Chasam Sofer Y.D.* 2:202, *Kitzur Shulchan Aruch* 37:2, *Aruch Hashulchan Y.D.* 201:17-18, *Hamesivta* 5748:page 105, *Shulchan Halevi* 1:page 247:37. See *Darchoi Teshuvah* 120:22.

202. *Chachmas Adam* 73:19.

203. Harav Yisroel Belsky *zt"l*, opinion of the *Be'er Moshe* quoted in *Pischei Halachah Kashrus* page 120 but only *bedi'eved*.

כל השנה הלכות בכל יום מובטח להשיג את עולם הפא... (מדף עב)

The permissibility of using a lake should be discussed with a *rav*.²⁰⁴ One is permitted to *tovel* utensils in an ocean.

Sometimes, one may wish to bring utensils with him when attending a men's *mikvah*. Since many men's *mikvaos* are not valid for utensils, one should only *tovel* his utensils in a *mikvah* which has been examined by a qualified *rav*.²⁰⁵

The *poskim* suggest that when using a men's *mikvah*, one should recite the *brachah* outside the *mikvah*, enter the *mikvah*, and then immediately dip the utensil to avoid any *hefsek*.²⁰⁶ The reason for reciting the *brachah* outside is because one may not recite a *brachah* in front of improperly clad people.²⁰⁷

Writing or Calling Home

Years ago kids would write postcards home from camp. Although we may use email today, parents still worry about the welfare of their children. Therefore, children should communicate in some way with their parents and assure them that everything is good.²⁰⁸

Returning Items at Summer's End

Some people purchase an item at the beginning of the summer with the intention of returning it before the return policy is up. This is a *chillul Hashem*, as the employees know

204. Refer to *Zichron Betzalel* 2:57:27-28.

205. Harav Yisroel Belsky *zt"l*. Refer to *Kovetz Halachos Y.D.* 1:2003 (Camp Agudah), *Chai Halevi* 4:58:4, *Tevilas Keilim* page 148, *Taharas Keilim* page 166:2. One should not *tovel* a utensil if a filter is on (*Chai Halevi* *ibid* 5).

206. Refer to *Yabia Omer Y.D.* 2:14, *Vayevarech Dovid* 1:97 in depth, *Avnei Yushpei* 1:12, *Shevet Hakehasi* 2:145, *Beis Baruch* 1:pages 435-436, *Lev Avraham* 17, see *Pri Megadim M.Z. O.C.* 84:2, *Mishnah Berurah* 84:4, *Vayivtzar Yosef* 2:5:3, *Tevilas Keilim* 9:13:footnote 15. Refer to *Hechsheiros* 4:47, *Tevilas Keilim* 9:13:footnote 16.

207. Refer to *Chelkas Binyamin* 120:29:footnote 91. If a utensil which does not require a *brachah* is being *toveled* some are lenient in *toveling* it in a men's *mikvah* while men are at the *mikvah* (*Vayevarech Dovid* 1:97).

208. Refer to *Lehoros Nossan* 5:53. See *Sefer Chassidim* 575.

the intent and view it as stealing. This is common when buying an air conditioner in the summer.²⁰⁹

כל השומה הלכות בכל יום מובטח לו שהוא בן עולם הנא... (קדה עב.)

209. *Kovetz Halachos L'monos Hakayitz* (Harfenes) page 59. Walmart in Monticello has a return policy of up to thirty days to avoid issues of returns after the summer. (http://help.walmart.com/app/answers/detail/a_id/9). As well as other such items.



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