

HALACHICALLY SPEAKING

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{ TOPIC }

Bishul Akum - Specific Products



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Compiled by

Rabbi Moishe Dovid Lebovits

Edited by: **Rabbi Chanoch Levi**

Website Management and Emails:

Heshy Blaustein



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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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Bishul Akum - Specific Products

Guidelines:

1. A food which is edible raw is not subject to *bishul akum*; if it is not edible raw then the *halachos* of *bishul akum* apply to it.

2. A food which is not fit to be served on a king's table is not subject to *bishul akum*; if it is fit then it is a concern of *bishul akum*.

3. Foods which are eaten as a *tafel* on a king's table are not subject to *bishul akum*.

4. Foods whose *brachah* is a *Hamotzi* at least when *kovei'a seudah* are not subject to *bishul akum*, but are considered *pas*.¹

5. If a consumer finishes the cooking, there is no concern of *bishul akum* on the food.

Please note: in an instance where it mentions below that an item requires Bishul Yisrael, each Kashrus agency determines if this is so by their poskim and the method to attain Bishul Yisrael in a specific factory. The information mentioned in this article is to gain a general knowledge in this subject. The opinions below do not represent that of the KOF-K in any way.

Asparagus

Asparagus is not edible raw and therefore requires *bishul Yisrael*.²

1 Refer to *Taz* 112:6; *Beis Meir* 112:6; *M'Beis Levi* 8, page 24, 4; *Chelkas Binyamin* 112:64. Refer to *Shulchan Aruch*, O.C. 168:6.

2 OU document A-110.

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Artichokes

Artichokes are part of the sunflower family. An artichoke has deep lobed silvery green leaves, and is the size of a tennis ball.

In America, artichokes are not eaten raw. However, in Egypt they are eaten raw.³

If food is cooked in a country where it is edible raw, there is no reason to think that other countries would not eat it raw. Therefore, the non-Jew's cooking is not considered an act of cooking and the product's status will never change even if it is sent to a place where they may eat it cooked. Harav Schachter *shlit"a* takes a stringent approach.⁴ According to Harav Yisroel Belsky *zt"l* one can be lenient with artichokes if it is eaten raw in one country and sent to another country where it is not edible raw.

Bagels

Although a bagel is cooked in water shortly before it is baked, it is not a *bishul* product. Rather, it is viewed as *pas* and not subject to the *halachos* of *bishul akum*.⁵

Bamboo Shoots

The bamboo shoots are the extremely young growth of the bamboo plant, usually harvested before they are two weeks old. They have a tough exterior, but an inner core with a sweet flavor. To prepare it for cooking, the outer layers are peeled off to reveal the core, which is then sliced into strips. Bamboo shoots are low in fat and calories. They are available in supermarkets in various sliced forms, both fresh and canned. Bamboo shoots are used in Chinese dishes, in soups, dumplings and stir fry vegetables. They can also be used as a

3 Ibid.

4 Refer to OU document A-88 in depth.

5 *Aruch Hashulchan*, Y.D. 112:31; *Igros Moshe*, Y.D. 2:33, 4:4; *Yagel Yaakov* page 229.



vegetable side dish, or added to salads. Bamboo is not edible raw, as shown by these quotes:

“The shoots of some species contain toxins that need to be leached or boiled out before they can be eaten safely.” “Do not eat raw bamboo shoots because they contain a poisonous substance.” “Raw bamboo shoots are bitter tasting and hard to digest.” Clearly, they are not edible raw, and should be subject to *bishul akum*.

However, there is another factor regarding this product that might allow for leniency. Usually, bamboo shoots are not eaten right out of the can, but rather they are mixed into salads and soups that are fit to be served on a king’s table. Would it require *bishul Yisrael*?

Based on the opinion of *Tosafos*,⁶ Harav Yisroel Belsky *zt”l* rules that the food is *tafel* to the main dish, and there is no problem of *bishul akum* on the food which is not *oleh al shulchan melachim*. Based on this logic, he rules that chow mein noodles do not require *bishul Yisrael*, since the noodles are *tafel* to the main dish (see below). One who eats chow mein noodles by themselves does so as a snack, and it is not a problem of *bishul akum* because a snack is not fit to be served at a king’s table.⁷

Based on this, we can permit bamboo shoots without requiring *bishul Yisrael*, because they are only eaten with other foods as a *tafel*. If the bamboo shoots are not served as a *tafel*, but as a main component in stir fried vegetables (which is a common usage), then it may not be considered a *tafel*. In this case, there would be *no heter*.

Some say that the bamboo shoots are not edible from the can, and need additional cooking to remove the bitter taste.

6 *Maseches Beitzah* 16b “*ko mashma lon*.”

7 OU document A-130, see A-131.

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If this is true, then *bishul akum* would not apply according to many *poskim*.

Beans

Beans are not fit to be served at a king's table;⁸ therefore, they are not subject to *bishul akum*. Some salads contain a few beans for color, but one does not serve a bowl of beans nor bean, split pea, or lentil soup at a king's table.⁹ Green beans are fit to be served at a king's table, but they are packed fresh and may not be subject to *bishul akum*.¹⁰

Beer

There is no concern of *bishul akum* regarding beer¹¹ (for the reasons see discussion regarding coffee).

Blintzes

A food which requires *Birkas Hamazon* if one is *kovei'a seudah* is considered a *pas* food, not a *bishul* food.¹² If a dense batter is poured into a mold, thus producing a thick product, it would be *Hamotzi*.¹³ If the batter was poured onto a flat surface and spread out completely, which would result in a very thin product, the *brachah* would be *Mezonos*.¹⁴

The wrappers of many blintzes are made from a thin batter which is spread out in the frying pan. Based on this, the *poskim* say that a blintz is *Mezonos*. Even if one eats enough to be *kovei'a seudah*, he would not be required to

8 Refer to *Maseches Shabbos* 140b.

9 Opinion of Harav Yisroel Belsky *zt"l* as stated in OU document A-64:1.

10 Opinion of Harav Yisroel Belsky *zt"l* as stated in OU document A-64:2.

11 Refer to *Tur*, Y.D. 114; *Beis Yosef Bach*; *Taz* 1; *Shach* 1; *Tiferes Yisrael*, *Maseches Avodah Zarah* 2:52.

12 *Beis Meir* 112:6. Refer to *Toras Chatas* 75:12.

13 *Mishnah Berurah* 168:36.

14 *Shulchan Aruch* 168:8; *Be'er Heitiv* 18; *Magen Avraham* 19-20; *Pri Megadim Eishel Avraham* 19.

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wash or *bentch*.¹⁵ If the wrapper was fried and is very thick then the *brachah* would be *Hamotzi*,¹⁶ but this is usually not the case.

Nonetheless, Harav Yisroel Belsky *zt"l* holds that since the blintz is not fit to be served on a king's table without the filling, it is not subject to the *halachos* of *bishul akum*, since the Jew will be the one filling the blintz. An industrial blintz may be different.¹⁷

Bourekas

There is a discussion in the *poskim* if bourekas require *bishul Yisrael*. The outside dough is a *pas* issue,¹⁸ but the filling can be a concern of *bishul akum*. If the filling is edible raw, such as cheese, then it is permitted. However, potato bourekas which are made by a non-Jew would be a *bishul akum* concern.¹⁹ Sometimes instant potatoes are used, which need to be reconstituted with boiling water.²⁰ Nonetheless, in most cases a Jewish bakery makes the bourekas, and the product is *bishul Yisrael*.

Breakfast Cereals

Breakfast cereal is not considered a food which is served on a king's table, and therefore does not require *bishul Yisrael*.²¹

15 Harav Yisroel Belsky *zt"l*; see *Mishnah Berurah* 168:37; *Birchos Hanehenin* page 99; *Binyan Shalom* page 286. Refer to *Sha'arei Habrachah* page 526, footnote 82 which says one should not eat an amount that would make up a *shiur seudah*.

16 *Kaf Hachaim* 168:65; *V'zos Habrachah* page 219 quoting the opinion of Harav Elyashiv *zt"l*. Refer to *Kashrus* 2, pages 222-223.

17 OU document A-90. Refer to *Pischei Halachah (Kashrus)* page 199, 21; *Noam Halachah* page 181.

18 *Yalkut Yosef, Y.D.* 2, pages 151-152.

19 *Ibid.*, pages 150-158 in depth.

20 *Ibid.*, pages 158-159. Refer to *Kashrus* 2, pages 225-226.

21 Harav Yisroel Belsky *zt"l*. Refer to OU document A-94; *Pischei Halachah (Kashrus)* page 118, 3 quoting the opinion of the author of the *Be'er Moshe* (Stern); *Bishul Yisrael* pages 177-178;

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Carrots

Since carrots are eaten raw, they are not subject to *bishul akum* concerns.²²

Chocolate

Chocolate which is eaten as snack is not subject to the *halachos* of *bishul akum* since snacks are not fit to be served on a king's table.²³ In the event that one is eating a fancy chocolate served at a glamorous meal, then *bishul akum* may apply. However, the heat from the conches which mixes the chocolate is generated from the friction of the rollers. Therefore, it is considered an alternative method of cooking,²⁴ which is not subject to *bishul akum*.²⁵ Some say that it is always exempt since it is a sweet and not eaten together with bread, so it is not subject to *bishul akum*.²⁶ Others say that chocolate is never subject to *bishul akum* because it is eaten raw.²⁷

Chocolate syrup is clearly not subject to *bishul akum* since it is eaten as a *tafel* to other foods.²⁸

Chow Mein Noodles

Chow mein noodles are made in the following manner: a large amount of dough is made with flour, water and eggs. It

Teshuvos from Harav Falk in *sefer ibid.*, pages 29-31; *She'arim Metzuyanim B'halachah* 38:4; *Kitzur Hilchos Bishul Akum* (Sharf) 11.

22 Opinion of the *Be'er Moshe* quoted in *Pitschei Halachah (Kashrus)* page 118, 5; *M'Beis Levi* 8, pages 29-30, footnote 14; *Shevet Halevi* 6:108:4 (end); *Hamesivta* 5754, page 89, 3. See *Chachmas Adam* 66:4; *Aruch Hashulchan* 15.

23 *Bishul Yisrael* page 148, footnote 15. Refer to *Mekor Chaim* 263:13.

24 Refer to *Shulchan Aruch, Y.D.* 113:13.

25 OU document H-30, page 3.

26 *M'Beis Levi* 8, page 40 quoting the opinion of Harav Vosner *zt"l*.

27 *Maharsham* 2:262; *Be'er Moshe* 4:49.

28 OU document M-7.

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goes through a roller where the dough is thinned and sliced into the noodle shape before going into a deep fryer.

Deep frying is included in the *gezeirah* of *bishul akum*.²⁹ Therefore, a non-Jew would not be able to deep fry a product without a Jew's involvement.

However, chow mein noodles are not eaten by themselves. Rather, they are eaten in a soup or as a different *tafel*. In the instance that it is eaten as a snack, it is not fit to be served on a king's table.³⁰

Additionally, the *Aruch Hashulchan*³¹ rules that a large dough which is deep fried is *pas* and not *bishul*. Although many do not rely on this *Aruch Hashulchan*, we can consider it as a *safek* and can be lenient because it is a *safek d'Rabbanan*.

Chumus

Earlier, we mentioned that chickpeas are not fit to be served on a king's table. This is true even if *chumus* (smashed chickpeas) is served at a king's table.³²

Coffee

There are many factors which need to be addressed regarding the *bishul akum* status of instant coffee. During the production of instant coffee, the coffee beans are ground. The ground beans are then cooked in water many times to extract flavor from the beans. The liquid is then dried, either by spray drying, whereby heat and pressure are used to form solid crystals, or it is freeze dried, which is a process

29 Rashi, *Maseches Avodah Zarah* "kasa"; *Chachmas Adam* 66:6; *Darchoi Teshuvah* 16; *Aruch Hashulchan*, Y.D. 113:24; *Chelkas Yaakov* 113:14.

30 Refer to OU document A-130 where Harav Yisroel Belsky *zt"l* maintains that this is permitted, but says it is proper to try to have the Jew take part in the deep frying somehow.

31 Y.D. 112:31.

32 Opinion of Harav Yisroel Belsky *zt"l* as stated in OU document A-64:2.

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in which the extract is frozen and evaporated to leave a solid slab of coffee.³³

Halachic Discussion

Coffee is not edible raw, and it is fit to be served at a king's table.³⁴ Although the non-Jew cooked the coffee beans and made it into a powder, there is no concern of *bishul akum* since it is not fit to be served at a king's table in its current form.³⁵ Therefore, a Jew is permitted to buy instant coffee, provided that he adds the water.³⁶

*Tosafos*³⁷ holds that there is no concern of *bishul akum* with beer, as the *brachah* on beer is a *Shehakol* because the grain is *batel* to the water. Many *poskim* apply this same logic to coffee, since the coffee is *batel* to the water.³⁸ This reasoning is quoted by most *poskim*.³⁹ On the other hand, the custom of some is not to rely on this lenient opinion.⁴⁰

There is an opinion in the *poskim* that only food is subject to the *halachos* of *bishul akum*, but liquid has no restrictions.⁴¹ This opinion is a singular opinion and is not

33 Refer to *Klalim (Hilchos Shabbos, Ofeh)* pages 784 and 791.

34 *Pischei Teshuvah*, Y.D. 114:1.

35 *Yechaveh Daas* *ibid.*; *Avnei Yushpei* 1:139:1; *Chelkas Binyamin* 113, *biurim* pages 70-71.

36 *Avnei Yushpei* *ibid.* quoting the opinion of Harav Elyashiv *zt"l*.

37 *Maseches Avodah Zarah* 31a "v'teraveihu." Refer to *Issur V'heter* 43:17; *Kitzur Shulchan Aruch* 38:12.

38 *Pri Chadash*, Y.D. 112, page 6 (in the *Shulchan Aruch*); *Maharsham* 2:262; see *Pri Chadash* 114:6.

39 Harav Yisroel Belsky *zt"l*; see *Beis Yosef*, Y.D. 114; *Bach* 114; *Taz*, Y.D. 114:1; *Levush* 114:1; *Tiferes Yisrael*, *Maseches Avodah Zarah* 2:52; *Halachos Ketanos* 1:9; *Be'er Esek* 105; *Panim Me'iros* 2:62; *Chachmas Adam* 66:14; *Aruch Hashulchan* 113:22; *Yechaveh Daas* 4:42; *Rivevos Ephraim* 6:79; *Emes L'Yaakov*, Y.D. 113, footnote 42 (end); *Chelkas Binyamin* 113:22. See *Chayei Halevi* 4:538. Refer to *Bishul Yisrael* pages 356 and 359.

40 Custom of the Arizal quoted in *Ben Ish Chai*, *Chukas* 2:16, *Darchoi Teshuvah* 113:2, and *Bishul Yisrael* page 386; see *Avnei Yushpei* 1:139:2.

41 *Buevei Chai*, Y.D. 125. See *Be'er Esek* 105.

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to be relied upon.⁴² Some permit coffee because it is not eaten with bread at the king's table.⁴³ However, others say that dessert is also subject to the *halachos* of *bishul akum*.⁴⁴ According to this, coffee would be subject to the *halachos* of *bishul akum* since one normally drinks coffee at the end of a meal.⁴⁵

There is an opinion in the *poskim* that if a Jew adds sugar to the coffee then he is making it fit to drink.⁴⁶ However, this is not a valid *sevara* to permit coffee, since people drink coffee without sugar as well.⁴⁷

Others permit coffee because it definitely tastes better when it is reconstituted with hot water. Therefore, when a Jew adds hot water he is completing the cooking process.⁴⁸ However, the fact is that instant coffee can be mixed with cold water as well, so adding hot water later is meaningless.⁴⁹ Therefore, the main reason why coffee is not subject to *bishul akum* is because it is *batel* since there is so much water in coffee.⁵⁰

Conclusion on *Bishul Akum* Status

As stated above, there are many reasons to permit coffee, and not to be concerned about *bishul akum*. Therefore, the custom throughout the generations is to permit coffee.⁵¹ One

42 *Darchei Teshuvah* 113:12; *Yechaveh Da'as* *ibid.*

43 *Radvaz* 3:637; *Beis Yehudah*, Y.D. 21; *Be'er Esek* 105; *She'eilas Ya'avetz* 2:142. Refer to *Yechaveh Da'as* *ibid.*

44 *Chachmas Adam* 66:1; *Aruch Hashulchan* 113:7. Refer to *Radvaz* 3:637; *Shevet Halevi* 2:44.

45 *Yechaveh Da'as* *ibid.*; see *Hamesivta* 5754, pages 85-86, 28.

46 *Teshuvos V'hanhagos* 1:336, 4:193. Refer to *Bishul Yisrael (teshuvos)* page 99.

47 Harav Yisroel Belsky *zt"l.*

48 Opinion of Harav Falk *shlit"a* quoted in *Bishul Yisrael (teshuvos)* pages 98-99.

49 *Be'er Moshe* 4:50.

50 Refer to *Chelkas Binyamin* 113, page 71.

51 Harav Yisroel Belsky *zt"l.* Refer to *Gilyon Maharsha* 113; *Shiurei Brachah* 113:3; *Ben Ish Chai*, *Chukas* 2:16; *Sdei Chemed* 6, page 348; *Kaf Hachaim* 113:21-23; *M'Beis Levi* 8, pages 32-33; *Shevet*

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who wants to be stringent should do so for himself and not for others.⁵² Some say that the stringency only applies where the non-Jew made the coffee, but if the Jew is adding the water they would agree that it is permitted.⁵³

Corn

Corn is used for an enormous number of products, in industrial uses, fermentation and other chemical products.⁵⁴ There are different types of corn such as sweet corn, dent corn and flint corn. Corn is edible raw right off the cob. Accordingly, corn would not require *bishul Yisrael*,⁵⁵ and some say that it is also not fit to be served at a king's table.⁵⁶ Although some people prefer eating corn cooked, this does not affect its status as a food which is edible raw.⁵⁷ Some say that corn is fit to be served at a king's table.⁵⁸ However, since it has the other exemption that it is anyway edible raw, it does not have a *bishul akum* problem.

Cranberries

Cranberries are usually harvested in the fall when the fruit takes on its red color. About 95 percent of cranberries are processed into products such as juices, sauces, etc. The balance is sold fresh to the consumer. Cranberries are

Halevi 5:93; *Bishul Yisrael* pages 355-358; *Kitzur Bishul Akum* (Berger) 43, page 35; *Mekor Chaim* 263:15; see *Be'er Esek* 105 which gives the main reason why it is permitted to drink coffee and it is not a problem of *bishul akum*. See *Beis Yehudah* *ibid*.

52 *Yechaveh Da'as* *ibid.*; *Rivevos Ephraim* 6:79; see *Shevet Halevi* 2:44. The *Birchei Yosef*, O.C. 325:2 says refraining from coffee made by a non-Jew is like separating oneself from life and death.

53 *Bishul Yisrael* pages 358-359. See *Hakashrus K'halachah* page 401. This is true for tea as well (*M'Beis Levi* 8, page 32:16).

54 Refer to www.iowacorn.org for a complete list.

55 *Shulchan Aruch*, Y.D. 113:1.

56 *Be'er Moshe* quoted in *Pischei Halachah* (*Kashrus*) page 118, 24:1.

57 Refer to OU document A-136. Refer to *Shach* 113:19.

58 *M'Beis Levi* 8, page 31:15, footnote 21; *Bishul Yisrael* (*teshuvos*) pages 28-29 which says in England it is fit for a king's table.

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a source of antioxidants, and benefit the cardiovascular system.

The issue we must clarify is if cranberries can be eaten raw.

To quote a staff member at Ocean Spray, “There is nothing wrong with eating fresh cranberries. Fresh cranberries do taste a little bitter and are highly acidic. Many people prefer eating them cooked since they are more palatable.” Although many people prefer eating cranberries cooked, it does not detract from their status as being edible raw. A proof to this is that people eat craisins, which are raw cranberries.⁵⁹ In addition, in many, if not most cases, one cooks the cranberries as a *tafel* and not the main dish.⁶⁰ Therefore, even if a non-Jew cooked the cranberries it is not a problem of *bishul akum*.

Doughnuts

The question regarding doughnuts is whether they are considered cooked or baked. Cooked food is subject to the *halachos* of *bishul akum*, but if they are baked then they would be considered a bread food, and subject to the *halachos* of *pas akum*.

A thick dough that is cooked or fried is a *Mezonos* even if it looks like bread, since the *brachah* is based on the way it was prepared. Others say that the *brachah* is *Hamotzi*.⁶¹ The custom is to be lenient;⁶² however, a person who fears Hashem should only eat such foods during a bread meal.⁶³ Technically, it is possible to eat enough to be a *kevias seudah*,

59 Refer to OU document A-103.

60 *Taz, Y.D.* 114:1.

61 *Shulchan Aruch* 168:13; *Aruch Hashulchan* 42. See *Mishnah Berurah* 67-73 which explains the opinions. Refer to *Pnei Hashulchan* pages 55-57.

62 *Rema* 168:13; *Mishnah Berurah* 74.

63 *Shulchan Aruch* 168:13; *Mishnah Berurah* 76.

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which would require *Hamotzi*, but the custom is not like this.⁶⁴ If the dough was made with ingredients like oil or honey, the *brachah* is a *Mezonos*.⁶⁵

Doughnuts are made by deep frying dough in oil.⁶⁶ There is an opinion in the *poskim* that the deep frying gives the dough the status of food that was made with oil, and not flour and water.⁶⁷ Furthermore, the dough is made with sweet ingredients, and not only flour and water.⁶⁸ Some say since one is not *kove'ia seudah* on such items the *brachah* is *Mezonos*.⁶⁹ This applies to doughnuts without a filling. Doughnuts with a filling will be discussed at a different time.

One should still avoid eating enough doughnuts to be *kove'ia seudah*.⁷⁰ Some say that a doughnut in middle of a meal does not require its own *brachah*, and is exempt with the *brachah* on the bread at the beginning of the meal.⁷¹ Others say one should have in mind at the beginning of the meal when he washes to exempt the doughnuts from a *brachah*.⁷²

64 *V'sein Brachah* pages 496-497, footnote 3.

65 *Rema* *ibid*. The reason is since this would be like a *pas haba b'kisnin* product discussed in *Shulchan Aruch*, O.C. 168:7.

66 In order for it to be halachically considered deep fried it has to be that the doughnut has a taste of it being deep fried (*Mishnah Berurah* 85).

67 Refer to *Mishnah Berurah* 82; *Biur Halachah* "kol zeh"; *Pischei Halachos* 8:37; *V'zos Habrachah* pages 28-29, page 378; *Sha'arei Habrachah* 16:31.

68 *V'sein Brachah* pages 496-497; *Sha'arei Habrachah* 16, footnote 61; *Halichos Shlomo*, *Moadim* 17:10, footnote 12. He says the reason why we eat doughnuts on Chanukah is because the *Mizbe'ach* was not able to be purified after the Yevanim invaded the Beis Hamikdash. Therefore, we eat doughnuts in order to mention in the *Al Hamichyah* about the *Mizbei'ach*. Refer to *Minchas Osher* 24, pages 55-58.

69 *Pnei Hashulchan* page 57, footnote 7.

70 *Pnei Hashulchan* page 57.

71 Refer to *Biur Halachah* 168:8 "te'unim." *Halichos Shlomo Moadim* 1:17:10. See *V'zos Habrachah birurim* 12:4, page 228 quoting the opinion of Harav Shlomo Zalman Auerbach *zt"l*.

72 *V'sein Brachah* page 497, footnote 413.

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Clearly, the status of doughnuts is not a simple matter, but it seems to be a *pas haba b'kisinin* food.

The *Aruch Hashulchan*⁷³ says that if thick dough is deep fried in oil it still has a status of bread, as opposed to *bishul* (cooked). According to this, doughnuts are considered a bread item, and not subject to the *halachos* of *bishul akum*. This is also the opinion of the *Be'er Moshe*.⁷⁴ Some say that this *Aruch Hashulchan* is not to be relied upon for *halachah l'ma'aseh*.⁷⁵

In any case, 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, they are not served on a king's table, so 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, and therefore present a problem of *bishul akum*.⁷⁶

Eaten at the End of a Meal

As mentioned above, the Gemara⁷⁷ says that an item that is not served at a king's table and not eaten with bread is not a *bishul akum* concern.⁷⁸ The Ritva⁷⁹ (and others)⁸⁰ holds that desserts are a concern of *bishul akum*. However, this only applies if the item is eaten together with bread.⁸¹ The *halachah* is that even if the food which is eaten with the

73 Y.D. 112:31; see *Noam Halachah* page 30, footnote 16.

74 Quoted in *Pischei Halachah (Kashrus)* page 119, 13.

75 OU document A-105 quoting the opinion of Harav Yisroel Belsky *zt"l*.

76 Opinion of Harav Yisroel Belsky *zt"l* as expressed in OU document A-105.

77 *Maseches Avodah Zarah* 38a.

78 This is codified in *Shulchan Aruch, Y.D.* 113:1.

79 *Maseches Avodah Zarah* 38b.

80 66:1. See *Shach, Y.D.* 112:18; *Ben Ish Chai, Chukas* 2:9.

81 *Bishul Yisrael* page 179. Refer to *Noam Halachah* page 75.

איז עיל להקצי"ה בעמלמו אלא יד אמות של הלכה בלבד... (ברכות ח')



bread is not *chashuv* by itself, it is still a concern of *bishul akum*.⁸²

Dried Fruits

Since fruit is eaten raw, even if it is dried by a non-Jew there is no concern of *bishul akum*.⁸³ One should make sure that the oven is kosher.

Eggs

It is very common for a company to get large shipments of eggs in various forms, such as whole, liquid based, or dried eggs. The question is how to avoid issues of *bishul akum*. Another common occurrence is a non-Jew frying eggs for a party. If eggs do not require *bishul Yisrael* then there is no issue, but this may not be the case.

Even though it is fit to be eaten raw, an egg is subject to the *halachos* of *bishul akum*.⁸⁴ The Taz⁸⁵ explains that although it can be eaten raw, it is only if a person forces himself to eat it, so it is not considered edible raw.

The *Levush* says that a raw egg *is* considered edible, but an egg is fit to be served on a king's table.⁸⁶ Accordingly, a fried egg would require *bishul Yisrael*. However, in regard to companies who receive whole eggs and put it into their products, we can be lenient as explained in the following section.

82 Refer to *Chelkas Binyamin* 113:12, footnote 60. See *Darchoi Teshuvah* 113:12.

83 *Aruch Hashulchan* 113:27. Refer to *Darchoi Teshuvah* 113:82.

84 *Maseches Avodah Zarah* 38b; *Rashba, Toras Habayis (hakatzer)* 3:7, pages 212-213 (new); *Beis Yosef* 113; *Shulchan Aruch, Y.D.* 113:14; *Levush* 113:14; *Chachmas Adam* 66:2; *Kitzur Shulchan Aruch* 38:10; *Aruch Hashulchan* 112:20, 113:19. Refer to *Shevet Halevi* 9:162.

85 113:14; see *Be'er Heitiv* 16; *Gilyon Maharsha* 12.

86 112:14.

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

Mixed Together with Non-raw Items

The *Shulchan Aruch*⁸⁷ discusses a case of combining two ingredients in a dish, one that is edible raw and the other is not. If the food is mostly made from the food which is edible raw there is no *bishul akum*. The *Aruch Hashulchan*⁸⁸ says that even if the ingredients are in equal proportion it is permitted.

In most cases, the eggs are a *tafel* to the final product, so they would not require *bishul Yisrael* by themselves. If the dish requires *bishul Yisrael*, then there is no *bishul akum* problem with the egg either.

Mixed in a Batter

When eggs are mixed into a batter it is not subject to *bishul akum*. Since they are mixed before baking and are not recognizable in the dough during the baking, there is no problem of *bishul akum*.⁸⁹ In addition, the dough is the *ikar*, not the eggs.⁹⁰

Eggs Placed on Top of a Product

The *Shulchan Aruch*⁹¹ says that in a place where *pas paltar* is permitted, if bread is baked with eggs on top, it is permitted because of *bishul akum* as well. The opinion of the Rema is that an egg layer on top of bread is subject to the *halachos* of *bishul akum* and is not considered *batel* to the bread.⁹² The *Levush*⁹³ says that one should be stringent like

87 Y.D. 113:2. The non-Jew may put in the food which is not edible raw with the food which is edible raw and it is not considered being "mevatel an issur l'chatchilah" since it is made a *tafel* before the cooking since the whole dish is considered edible raw (*Chelkas Binyamin* 113:24).

88 Y.D. 113:14.

89 Refer to *Chelkas Binyamin* 112:52 for a beautiful explanation on this *inyan*.

90 *Shach*, Y.D. 112:15; *Taz* 5; *Aruch Hashulchan* 20; *Kaf Hachaim* 38.

91 Y.D. 112:6.

92 *Ibid*.

93 112:4.

איז עיל להקדיף ה בעולמו אלאי י אמות של הלכה בלביד (ברכות ח)



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

the opinion of the Rema when possible. The opinion of many *poskim* is to be lenient,⁹⁴ but those who follow the rulings of the Rema should follow the Rema's stringent opinion.⁹⁵ The Gra⁹⁶ says the reason for the lenient opinion is because the egg is just for show.

The *Aruch Hashulchan*⁹⁷ says, "The ruling of the Rema who is stringent is referring to a case where the egg is in high volume and it is recognizable on the product. However, this that we put on eggs on challos on Erev Shabbos which is just a thin layer is not a problem of *bishul akum*." Other *poskim* argue with the reading of the *Aruch Hashulchan* in explaining the opinion of the Rema.⁹⁸

The above has ramifications regarding French toast. Harav Yisroel Belsky *zt"l* maintains that since the egg is absorbed in the bread and not placed on the bread, it is not subject to the *halachos* of *bishul akum* (if French toast would be fit to be served on a king's table).⁹⁹ White bread is also dependent on the dispute above. However, the position of Harav Yisroel Belsky *zt"l* is that although the reading of the Rema is not like the *Aruch Hashulchan's* interpretation, it is still permitted since the egg on white bread is barely visible. Therefore, although we do not agree with the *Aruch Hashulchan* we can rely on it in this case and certify a company which makes this bread.¹⁰⁰

Based on the above, companies can receive eggs in bulk

94 *Darchei Teshuvah* 112:48.

95 *Ibid.*

96 112:14.

97 112:21. The *Minchas Yitzchak* in 7:62:1 agrees with the *Aruch Hashulchan*. The opinion of the *Shevet Halevi* is that the Rema was stringent even if it was a thin layer (*M'Beis Levi* 8, page 24, footnote 5).

98 Harav Yisroel Belsky *zt"l*; see *Chelkas Binyamin* 112:60.

99 OU document A-63.

100 *Ibid.*

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and there is no concern of *bishul akum* if it is put into food where the main ingredient does not call for eggs, just as the *Shulchan Aruch* permits it regarding bread. However, if the non-Jew will use the eggs as a main ingredient, or cook an egg for a Jew (at a party like a *bris*) it requires *bishul Yisrael*.¹⁰¹ It is important for a *mashgiach* to be present, especially at the egg station at a *bris*, to prevent any *bishul akum* issues. If the egg is prepared in a way that it would not be fit to be served at a king's table, it would not require *bishul Yisrael*.

Farina – Hot Cereal

The custom is that although a non-Jew cooked farina it is permitted since it is dried out and reconstituted by a Jew.¹⁰² If it is reconstituted by a non-Jew then it would depend on the dispute regarding a food which is not eaten with bread and its status regarding *bishul akum*.

¹⁰¹ *Shulchan Aruch* 113:14.

¹⁰² *Be'er Moshe* 4:48, page 91; *Kitzur Hilchos Bishul Akum* (Sharf) 11.

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אמות של הלכה בלבד... (ברכות ח')



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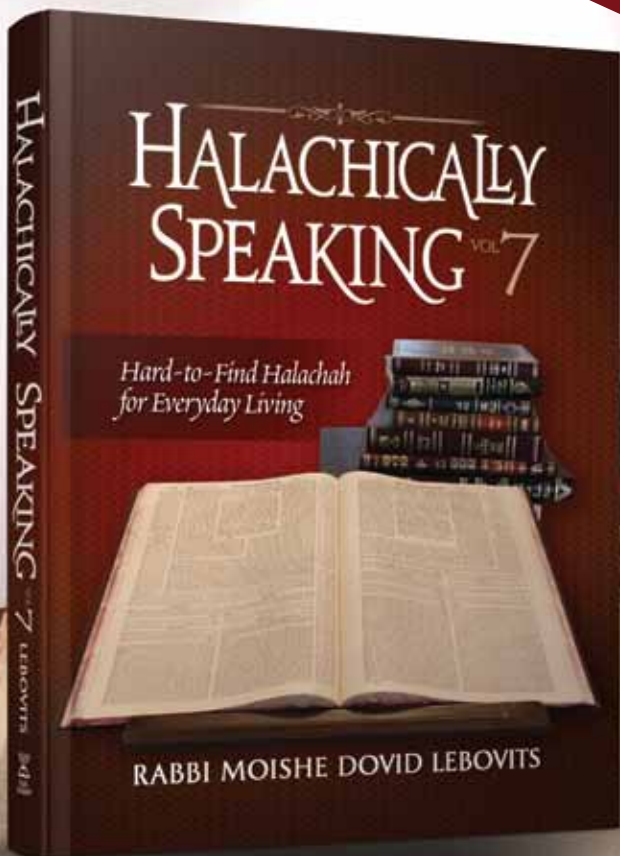
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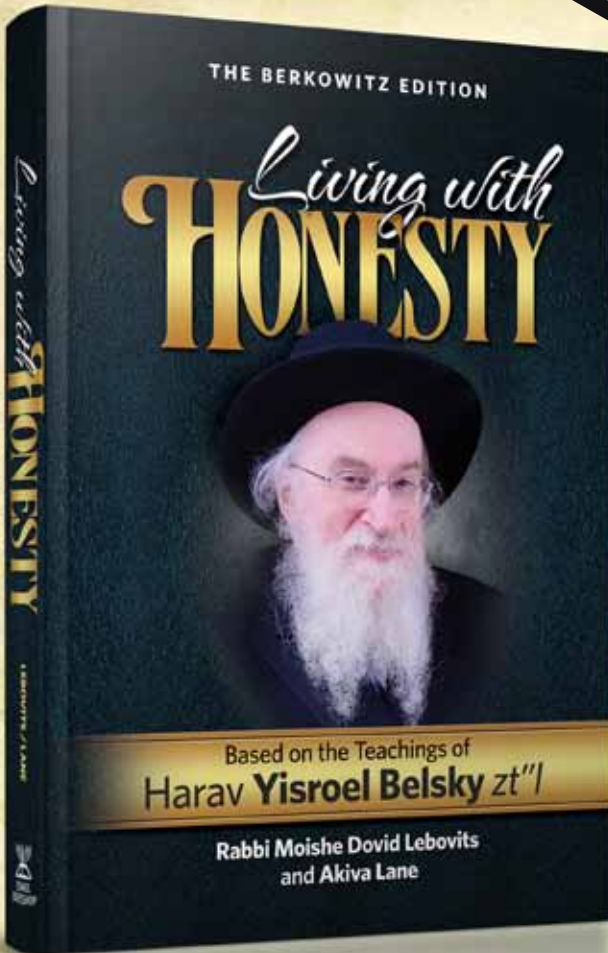


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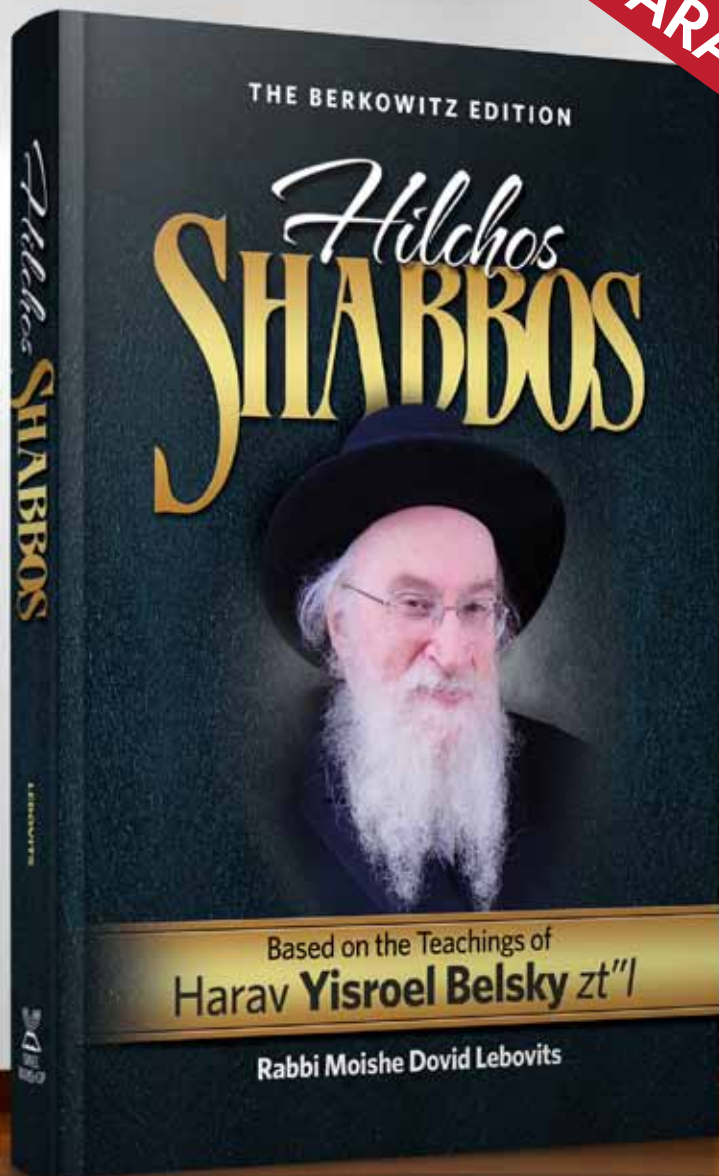
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