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## Dairy (non - pareve) Bread

When one takes a walk down the aisles in a supermarket or in his local bakery, he may see cakes and muffins which are dairy. In addition, one may find bread with a label on the package stating its dairy status.

We will discuss the implications of the *halachos* which apply to “dairy bread.”

### The *Issur* / Reason

Bread is a food that is commonly eaten together with either meat or dairy. To guard against the possibility of inadvertently eating dairy bread with meat or vice versa,<sup>1</sup> *Chazal*<sup>2</sup> prohibited baking bread with either dairy or meat ingredients. This prohibition applies even if one will only eat the dairy bread with dairy foods or the meat bread with meat foods.<sup>3</sup> If the bread was made dairy by mistake, one may not eat the bread.<sup>4</sup> There is a discussion among

the *poskim* whether or not one may sell the bread to a non-Jew.<sup>5</sup>

### Vegetarians

This *halacha* also applies to vegetarians even though they will not come to eat the bread with meat.<sup>6</sup>

### Changing the Shape of the dough

The *Gemorah*<sup>7</sup> says if one wants to make dairy bread, he has to make it “*k’ein turah*” (like the eye of an ox).”

*Rashi*<sup>8</sup> explains this to mean that it has to be made in small quantities (see below). The reason for this is since a small amount of bread will be used up quickly, one will not forget that it is dairy or meat. However, the *Rif*<sup>9</sup> and others<sup>10</sup> say the meaning of “*kein turah*” means that the dough was kneaded in a shape which is different from regular

<sup>1</sup> Ran Mesechtas Pesachim page 8 “mipnei,” Shach Y.D. 97:1, Aruch Ha’shulchan 1.

<sup>2</sup> Mesechtas Pesachim 30a, 36a, Rambam Malchos Asuros 9:22, Shulchan Aruch Y.D. 97:1, Chochmas Adom 50:3, Aruch Ha’shulchan 1, Badi Ha’shulchan 1.

<sup>3</sup> Shulchan Aruch ibid, Darchei Teshuva 12, Aruch Ha’shulchan 1.

<sup>4</sup> Refer to Pri Megadim Sifsei Da’as 1, Pischei Teshuva 2, Darchei Teshuva 9, Aruch Ha’shulchan 8, Da’as Torah 1, Badi Ha’shulchan 2, biurim “kol hapas” (second), Madanei Ha’shulchan 3.

<sup>5</sup> Refer to Darchei Teshuva 6, 15, Yabea Omer Y.D. 1:5, Badi Ha’shulchan 5, biurim “v'im,” Madanei Ha’shulchan 3.

<sup>6</sup> Opinion of Horav Schachter Shlita quoted in Rabbi Jachter’s Halacha Files at [www.koltorah.org](http://www.koltorah.org).

<sup>7</sup> 36a. Refer to Darchei Teshuva 97:19.

<sup>8</sup> Mesechtas Pesachim ibid “k’ein.”

<sup>9</sup> Mesechtas Chullin 38a.

<sup>10</sup> Rambam Hilchos Machalus Asuros 9:22.

bread. The *Shulchan Aruch*<sup>11</sup> brings both opinions. Therefore, one would be able to make dairy bread if it is in small amounts or in a different shape.

The change in the shape must be made before baking the bread.<sup>12</sup>

#### Placing a Sticker on the Package

Based on the opinion stated earlier that a *heker* does not help to make the bread permissible after it has been baked, a sticker on the wrapper would not be a good *heker*.<sup>13</sup>

*Horav Joseph Dov Soloveitchik zt"l*<sup>14</sup> held, based on a ruling from his father *Horav Moshe*, that a sign on the packaging of bread indicating that it is dairy is a sufficient reminder that the bread should not be used with meat. Others held that this is not a valid *heker*.<sup>15</sup>

Today, the major *kashrus* organizations do not rely on a dairy designation on the label as a *heker*.<sup>16</sup>

The opinion of the *Chochmas Adom*<sup>17</sup> and others<sup>18</sup> is that if bread unintentionally became dairy or meat because of a spill, if there will be a serious financial loss then one may split the bread into small sections among his family members. This is permitted because each

person receives an amount that they will finish in one day.

#### English Muffins

English muffins are generally certified as dairy. The question was asked why this is permitted. The *Shulchan Aruch* says one is not allowed to make dairy bread, and English muffins are bread.

Some maintain that although the *halacha* states if the dough was made into a shape which people view as another type of bread it is permitted,<sup>19</sup> this is not good enough for English muffins. Since the same shape muffin is made *pareve* by other companies, there is no way to tell that this muffin is dairy due to its shape.<sup>20</sup> Others maintain that the shape and name are distinct.

#### Small Amounts of dough

The *Gemarah*<sup>21</sup> says if one makes the non-*pareve* dough in small amounts, it is permitted. The *Shulchan Aruch*<sup>22</sup> says this means that one has to eat the bread in one sitting (one portion). The *Rama*<sup>23</sup> says it refers to the amount of bread that one will eat in one day.

The *Aruch Ha'shulchan*<sup>24</sup> says if one has many people in his house, he can make dairy bread if it will be finished in one day, which is a twenty-four hour period.

<sup>11</sup> Y.D. 97:1.

<sup>12</sup> Gilyon Maharsha, Chavos Da'as 97:3, Yad Yehuda 4, Pischei Teshuva 3, Ben Ish Chai Shlach 2:17, Darchei Teshuva 21, Kaf Ha'chaim 14, Da'as Torah 1, Badi Ha'shulchan 16,18, Madanei Ha'shulchan 8.

<sup>13</sup> Horav Yisroel Belsky Shlita.

<sup>14</sup> M'pininei Harav pages 152-153.

<sup>15</sup> Horav Yisroel Belsky Shlita. Refer to Kol Mevaser 1:10. See Divrei Chachumim page 62:144 quoting this as the opinion of Horav Moshe Feinstein zt"l.

<sup>16</sup> This is the opinion of the OU, KOF-K, and the Star-K after speaking with Rabbi Goldberg Shlita.

<sup>17</sup> 50:5.

<sup>18</sup> See Aruch Ha'shulchan 97:9.

<sup>19</sup> This is not true for bagels because people have come to associate bagels with bread (OU document X-118).

<sup>20</sup> OU document X-118. This is the opinion of Horav Yisroel Belsky Shlita as well. Refer to Mesora 6:pages 88-89. Horav Genack Shlita holds that the distinct shape of English Muffins does still apply. In any case the OU labels the muffins OU-D even if it is *butel*.

<sup>21</sup> Ibid.

<sup>22</sup> Y.D. 97:1. Refer to Ben Ish Chai Shlach 2:17, Kaf Ha'chaim 97:7.

<sup>23</sup> Ibid. See Rashi Mesechtas Pesachim 36s "kein tura," Pri Megadim Sifsei Da'as 1, Darchei Teshuva 17, Aruch Ha'shulchan 4.

<sup>24</sup> 97:4.

The *bonei Ashkenaz* should follow the opinion of the *Rama*.<sup>25</sup>

One should only purchase the amount that he will consume in one day. Purchasing a large amount and placing the rest in the freezer is questionable.<sup>26</sup>

### *Bitel*

There is a dispute among the *poskim* when the amount of milk put into the product is *butel b'shishim*. Some *poskim* are lenient,<sup>27</sup> while others are stringent.<sup>28</sup> This does not apply where one initially put the rest of the ingredients into the mixture to be *mevatel* the milk intentionally. It is only when it was done already (*b'dieved*), or it is a big loss.<sup>29</sup>

### Large Dough – Commercial Bakery

Bakeries make large batters, then the dough is divided into small portions. Is non-*pareve* dough forbidden in such a case since it is not the small amount that the *poskim* discuss, or is it permitted, since one has in mind to make it into a smaller form?

The *Pischei Teshuva*<sup>30</sup> brings from *poskim* that once the dough is a big batter, it becomes *ossur* and one can not split it up and make it into small batters.

The opinion of the *Kesav Sofer*<sup>31</sup> is that the *issur* of dairy bread is only if one makes a large

batter and gives it to his household to eat. However, if one makes a large amount of dairy batter in order to sell it and he wants to split it into smaller dough, it is permitted as long as the size conforms with the *halachic* requirements of dairy bread. Some say that splitting the dough is forbidden only after it is baked, but doing so before baking is permitted.<sup>32</sup>

According to the above, a *kashrus* agency can certify a company which makes dairy bread (under permitted conditions) even though it is a large batter being made into smaller ones.

### *Borekas* etc

A food that is not readily recognizable as being meat or dairy (ex: *borekas*) and can be eaten with either a meat or dairy dish should be made *pareve*. Therefore, the custom is to make dairy *borekas* in a triangle shape and *pareve* ones in a square shape.<sup>33</sup> Some *poskim* are lenient in regard to this.<sup>34</sup>

### Cakes

Cakes or other food items, that are not usually eaten together with meat, are not subject to the *halacha* of dairy bread.<sup>35</sup> Therefore, one may bake or buy cheesecake in as much volume as necessary, even if it is not a different shape than a regular pastry.<sup>36</sup> In addition, one is permitted to eat dairy doughnuts or croissants. Muffins that are served as dessert may be baked with milk.

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<sup>25</sup> Darchei Teshuva 17.

<sup>26</sup> Horav Yisroel Belsky Shlita. Refer to Badi Ha'shulchan 9 biurim "I'chein."

<sup>27</sup> Chochmas Adom 50:4, Kaf Ha'chaim 97:6, Opinion of the OU as expressed in document X-118 in depth. Refer to Chavos Da'as 97:2.

<sup>28</sup> Refer to Otzer Divrei Haposkim page 588, Badi Ha'shulchan 97:6. See Nachlas Tzvi 97:1.

<sup>29</sup> Pri Megadim M.Z. 97:1. Refer to OU document X-118 regarding the issue of *bitul issur l'chatchilah* and English Muffins.

<sup>30</sup> 97:3.

<sup>31</sup> Y.D. 61:49.

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<sup>32</sup> Yad Yehuda 97:4.

<sup>33</sup> Refer to Darchei Teshuva 22, Harchokos V'hazehoros 5:34, Minchas Osher page 132. This is the opinion of the Badatz in Yerushalayim ([www.ohr.edu.co.il](http://www.ohr.edu.co.il)).

<sup>34</sup> Opinion of the Vaad Halacha of the KOF-K.

<sup>35</sup> Pischei Teshuva 3, Chuchmas Adom 50:3, Darchei Teshuva 1, 14, Aruch Ha'shulchan 7-8, Kaf Ha'chaim 15, Badi Ha'shulchan 2.

<sup>36</sup> Ben Ish Chai Shlach 2:17, Chuchmas Adom ibid, Aruch Ha'shulchan 8, Kaf Ha'chaim 97:1, Badi Ha'shulchan 2, Shevet Ha'kehusi 4:191.

### Croissants

Croissants are generally made dairy and it is common to place meat etc. into them. Therefore, one should avoid making and buying them unless it is in small amounts. The shape may not be considered a valid reason to permit them since there are croissants which are *pareve* that have the same shape as the dairy ones. Nonetheless, since croissants are usually made dairy it is known, and one would not come to place meat in them.

### Cinnamon and Raisin Bread

Cinnamon and raisin bread are certified *kosher* even if they are dairy in many cases.

### Bread Crumbs

Since bread crumbs are not made into bread they are not subject to the *halachos* of dairy bread. In addition, it has an odd shape to it since it is not shaped like a loaf.

### Bread Mixes

One reason to permit dairy bread mixes is because the amount of bread produced from the mix is considered a small amount. It can also be argued that this mix is not a dough, in which case it would not be subject to the *halachos* of dairy bread. In addition, the amount of milk placed in the product is *botel b'shishim*.

### Buttered Bagel / French Toast etc.

Once bread is fully baked, it is permissible to add dairy ingredients to it.

### Examples:

One may put butter on a bagel. One is permitted to add milk to baked bread to make French toast. It is permitted to put *pareve* bread in a *milchig* toaster even though it was not cleaned out well.

### Dairy Bread during the Nine Days

During the nine days the *Bnei Ashkenaz* do not eat meat<sup>37</sup> so there is no concern of eating dairy bread with meat. However, one is still not allowed to make or purchase dairy bread during that time.<sup>38</sup> Some are lenient and permit this to be done.<sup>39</sup>

### Dairy Bread for *Shavuos*

The custom is to eat dairy food on *Shavuos*.<sup>40</sup> Some accomplish this by baking dairy bread. The *poskim* say it is permitted to bake dairy bread for *Shavuos* since it is a small amount.<sup>41</sup> According to this, it would only be permitted to bake enough bread for the first day of *Yom Tov*.<sup>42</sup> One who wishes to bake large amounts should change the shape of the bread.<sup>43</sup>

### Making *Challah* in a Meat Oven for *Shabbos*

Baking *challah* in a meat oven, with uncovered chicken is permitted since it was baked for that particular *Shabbos* and it is considered a small amount.<sup>44</sup> Although some say this is not permitted because one might come to eat the bread with dairy at *shalosh seudos*,<sup>45</sup> the custom is to be lenient with this. Nonetheless, practically speaking, since one is not used to having *fleshig* bread, one should not bake bread in the above manner. One who must bake bread while there is chicken in the oven,

<sup>37</sup> Shulchan Aruch O.C. 551:9.

<sup>38</sup> Mahrasham 7:76, Badi Ha'shulchan biurim "sh'ema," Madanei Ha'shulchan 3, Rivevos Ephraim 2:155:17.

<sup>39</sup> Refer to Darchei Teshuva 34.

<sup>40</sup> Rama O.C. 494:3, Magen Avraham 6, Mishnah Berurah 12-14, Bais Ha'Levi Yisro, Mivakshei Torah 1:pages 185-186.

<sup>41</sup> Rama ibid, Aruch Ha'shulchan 10, Kaf Ha'chaim 494:64.

<sup>42</sup> Darchei Teshuva 33, Badi Ha'shulchan 23, Madanei Ha'shulchan 12, Betzel Hachuchma 6:34:5-6.

<sup>43</sup> Refer to Darchei Teshuva 33, Badi Ha'shulchan 23, Madanei Ha'shulchan 12, Betzel Hachuchma ibid.

<sup>44</sup> Rama ibid, Sifsei Da'as 1, Pri Megadim O.C. 442:1, Chochmas Adom 50:3, Aruch Ha'shulchan Y.D. 97:4, Badi Ha'shulchan 23, Madanei Ha'shulchan 13.

<sup>45</sup> Yad Yehuda (Aruch) 11, see Kaf Ha'chaim 24.

should cover the chicken well before placing the *challah* in the oven. If this is done the *challah* is *pareve*.<sup>46</sup>

#### Keeping Bread Separate

One who ate *pareve* bread during a meat meal and has leftover slices, may not eat those slices during a milk meal, or vice versa, even if the slices were cut with a *pareve* knife.<sup>47</sup> This *halacha* only applies to sliced bread. However, one may use the remaining loaf of bread at a dairy meal, since it does not normally come into contact with the meat food.<sup>48</sup>

One should only use a *pareve* knife to cut bread, since otherwise the bread may become dairy or meat and it could cause *halachic* problems of *baser b'chalav*.<sup>49</sup>

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<sup>46</sup> Based on the pesak of Horav Yisroel Belsky Shlita.

<sup>47</sup> Shulchan Aruch Y.D. 89:4.

<sup>48</sup> Igros Moshe Y.D. 1:38.

<sup>49</sup> Refer to Shulchan Aruch *ibid*, Chochmas Adom 40:14, Darchei Teshuva 89:32, Kaf Ha'chaim O.C. 494:64, Madanei Ha'shulchan Y.D. 89:60, Rivevos Ephraim 5:15, Hechsheiros 10:17.

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

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